A NEW STUDY OF POLICE HISTORY

By the same author

The Police Idea (1938)
Police Principles and the Problem of War (1943)
British Police and The Democratic Ideal (1948, Oxford University Press)
The Blind Eye of History (1952, Faber & Faber)

SIR CHARLES ROWAN, K.C.B.
1783 - 1852
First Commissioner of the Metropolitan Police

Portrait of Sir Charles Rowan, K.C.B., by William Salter, presented to the Metropolitan Police of London by the Marquess of Tweeddale in 1952 and now at New Scotland Yard. Reproduced by courtesy of the Commissioner of the Metropolitan Police.

A NEW STUDY OF POLICE HISTORY

By

CHARLES REITH

And some there be, which have no memorial.

Ecclesiasticus, XLIV, 9

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Edinburgh, 1955 CHARLES REITH

PART I

CHAPTER I

THE 52ND LIGHT INFANTRY

ON 20th May 1803 the 52nd, Oxfordshire, Regiment of Foot arrived in Canterbury, having marched there from Chatham under the command of Major John Stewart. All ranks were enjoying a sense of elation and of happy anticipation which was unequalled, probably, in any other unit of the British Army at that particular date. The march from Chatham had followed the ending of the Peace of Amiens and a renewal of war with France, made necessary, in the eyes of the Government, by various actions of Buonaparte, including his threat of invasion with a huge army which he was gathering at Boulogne. Officers and men of the 52nd were aware that an important part had been allotted to them in military plans for resistance. Since 1799 their Colonel had been Major-General John Moore, and at that period what is now known as an honorary colonelcy carried with it immense powers of control over regimental organization and interior economy for any holder of the title who cared to exercise them. At Chatham in January General Moore had secured permission to name his regiment 'the 52nd Light Infantry', in part fulfilment of plans for reform which he had made with the Commander-in-Chief, the Duke of York. Moore's intention was to perfect his regiment in new drill and new discipline and make it a model for the whole Army. It was also to be the first complete battalion of Light Infantry. Clear signs of revolutionary changes had been revealing themselves for some time in regimental orders. All those who marched from Chatham to Canterbury in May 1803 were aware that the regiment was to be part of a brigade, commanded by their Colonel, which was to be a spearhead of resistance to invasion.

In the early days of the nineteenth century Canterbury with its newly paved and well-lit High Street and many social activities was a pleasant place for regimental officers, but for three

young lieutenants of the 52nd on this occasion social pleasures had no meaning. For them there were no eager mess discussions of war rumours and anticipated movements and events. Their share of the pleasure of the excitement of current happenings and prospects was sadly tempered. They had found themselves, all three, seriously in debt to an extent which made drastic action imperative if they were to avoid the necessity of leaving the Army, a prospect which was a nightmare thought to them in the circumstances of the times. They were George Napier, Robert Rowan and Rowan's younger brother Charles. They consulted together and decided that the only course open to them was to leave the mess and live quietly in their lodgings on a diet of milk and bread until they had succeeded in paying their debts. Their programme required a period of three months for its complete fulfilment, by which time the regiment had been moved to a camp on the Channel coast at Shorncliffe.

It was fortunate for the young men that they were allowed to impose this Spartan régime on themselves, because in many units at that time there was a strict rule that any officer who left the mess must also leave the regiment. George Napier tells the story of their hardy exploit in his autobiography.[1] He was the second of the three Napier brothers who became famous in later life. He mentions the fact that the debts incurred by himself and the Rowans were owed to the Regimental Paymaster, and he, it seems, was Captain Charles Rowan, uncle of the two brothers, who has left no other record of himself but the statement of his name in regimental lists as Paymaster at this period. It was probably due to his influence that the means by which the young men paid their debts was permitted. No mention other than in these lists is made later of Uncle Charles. Robert Rowan also fades from history, as he left the Army in 1807. About the younger Charles Rowan and the 52nd Light Infantry which he lived to command, and about the influence on him and on his later work of Moore and Wellington and other famous soldiers with whom he served and came in contact, there is much interesting detail that can be recorded.

The Rowan ancestry can be traced to a family of the name of Roland, or Rolland. They were probably the descendants of a

[1] *Passages in the Early Military Life of General Sir George T. Napier, K.C.B.*, written by himself for his children.

Norman of that name who, like many others whose families are famous in lowland and clan history, was given land in Scotland by Malcolm Canmore or his son David after the Norman Conquest of England. The name Rolland survives in the earliest dated records of the family, which show later a James Rowan, grandson of a 'John Rolland the elder', as being proprietor in 1537 of an estate in Lanarkshire on which part of the Glasgow suburb of Govan and its shipbuilding yards now stands. The change in the spelling and pronunciation of the name is easily attributable to the influence of Scottish dialect. Descendants of the original Rollands with the names 'Rowan' and 'Rowand' were known in Govan in the eighteen-sixties but seem now to be extinct.

The ancestor of the more famous Rowans of Ulster was Andrew Rowan, the son of the above-mentioned James Rowan. Andrew was born in 1635 and became a Presbyterian minister; he went to Ireland in 1660 and a year later became an Episcopalian. He died in 1717 at the age of eighty-two, after having been Rector of Clough Church, Co. Antrim, for fifty-six years. He was twice married and had twelve children. His second son John and grandson Robert were both clergymen. The latter married an heiress. His grandson Robert Rowan of Mullins, Garry and Belleisle, Co. Antrim, was the father of ten children, three of whom, Robert, Charles and, later, William, became ensigns in the 52nd.

Of the early life of these children very little is known. Their father had inherited property which was heavily encumbered with debts as the result of negligence by trustees, and his natural improvidence ensured that he was impecunious all his life. He was soon obliged to leave the family home, Belleisle, and live in a small house near Carrickfergus, where his sons received an excellent education at a day school kept by the Rev. Dr Cupples. It is certain that what they suffered on account of their father's incorrigible improvidence was amply compensated by the happy home life and strict training in high principles which he and their mother, Elizabeth Wilson of Purdysburn, provided for them. She was a lady who was famed for her vivacity and wit. The brothers were close friends all their lives, although they rarely met in later years. Family records are scanty but a tribute paid by his son to John, the eldest brother,

who was a High Sheriff in Ireland when he died in 1855, can be quoted as being also a remarkable and almost perfect summary of the attributes of his younger brother Charles, and from various accounts of them it is probably applicable to all the others:

> His most salient and remarkable points appear to be a placidity of temper which did not comprise or disturb his judgment—a strong principle of impartiality which led him to do justice to everyone's motives and conduct—courteous and gentlemanly manners, especially to women—a general thoughtfulness for others, especially for those who were residing in the house with him—patience to search into and weigh every complaint and the merits of each case 'ere he decided on it—and an invariable consistency in all things, proving that principle, not whim or caprice, was his guide in all things.

When the Irish Rebellion in the seventeen-nineties necessitated the military organization of loyalists, Robert Rowan and several of his older sons were given commissions in the Antrim Militia. Later the father's increasing impecuniousness obliged him to leave Ireland with his wife and two daughters and settle in the Isle of Man, where he died in 1832 at the age of seventy-eight. Of the boys, John accepted a humble post in the Excise Department and eventually became a Deputy Lieutenant and High Sheriff. Hill Wilson Rowan became a Chief Magistrate of Police. Robert, Charles and William of the 52nd acquired respectively the ranks of captain, lieutenant-colonel and field-marshal. James also joined the Army, and retired with the rank of major. Frederick joined a regiment in the West Indies and died there after fourteen years of service without home leave. Edward became a captain in the Navy. Their successes in their careers were due solely to their merits, at a time when advancement in rank was rarely possible except by purchase.

There is an indefinable short period covering the closing years of the eighteenth century and the early decades of the nineteenth which tends to become, for anyone who studies it closely, one of the most fascinating in British social history. From the French Revolution came fresh winds of thought and understanding which disturbed the mists of moral and mental stagnation of late eighteenth-century outlook, and were as yet unimpeded by the counter-blasts of mental and spiritual complacency engendered later by the Industrial Revolution, and the

era of acquisitiveness which it inaugurated. By the wars with France young officers of the Army at the turn of the century and later were brought into contact with human suffering and the evils of social injustice more closely than others of their class, and it is not surprising to find in many military memoirs, diaries and autobiographies of this period the beginnings of disquiet and of new thought regarding the needs for social and moral reform.

A clear and fascinating picture of a progressive change in outlook during this period of transition is provided by three autobiographies written by officers of the 52nd and covering the years from 1782 to 1825. The author of the first, James Gatclif, joined the regiment as an ensign in 1782 at the age of sixteen. The title of his book is *Stations Gentlemen!* He calls it an 'epitome or biographical sketch of my own life written at the request of my son John'. Apart from occasional references to parades, soldiering is rarely given serious mention and it is obviously a subject in which the author had little interest. He saw no active service, and his descriptions are exclusively of regimental life in peace conditions in England and India. Although he mentions his enjoyment of amateur music on one occasion, and of sketching on another, he unwittingly gives the impression that the life of a young officer of the 52nd was a perpetual round of drinking, gambling, quarrelling and duelling with his brother officers, who seem to have been, in both England and India, a band of unscrupulous egoists, serving under a commanding officer whose lady was not his wife, and concerned with little besides seeking outlets for self-indulgence. The highest of life's values in their minds was what they regarded as their personal honour. They had little pride in their profession, in duty, or in their regiment. Such pride as they had was expressed in constant watch for insults, and in concern with whether the conversation and remarks of others had or had not contained one. On the slightest sign of an insult or affront there was an appeal to officers of senior rank as adjudicators. If the fact of an insult to honour was confirmed, a challenge was issued and a duel arranged. A resulting death involved no loss of popularity or prestige to its author, and caused very little concern in mess, provided that no point of honour had been left in doubt throughout the proceedings.

Gatclif fought several duels when he was with the 52nd, including one when he was eighteen with the adjutant, whom he killed.

Public floggings of soldiers, which were frequent, caused some concern to Gatclif from time to time, and he describes their effect on him as follows:

> The first man ever I saw flogged was punished for losing a pair of shoes. I then thought it a hard fate, but experience subsequently convinced me that otherwise the Regiment would be unable to maintain a smart appearance.

He continues:

> I remember two soldiers being tried by Court Martial for robbing a comrade of three shirts. They were found guilty and sentenced to receive five hundred lashes each. On application being made to General Conway for a diminution of the sentence he replied: 'I hold no crime so great as that of one soldier robbing another. If these rascals had not been found out, the poor fellow would have been punished for their thieving. No! Not a lash less—not if it had been five thousand!'

It seems that the cumulative effect of watching floggings was to improve the author's thoughts on the subject. He writes, eventually:

> The time must come when such barbarity will not be tolerated. I have seen a soldier who had fought in the battles of his country receive four hundred lashes at a time, and I have heard the Commander of a Regiment declare that a left-handed drummer was a prize to any Corps as by his means both shoulders of a culprit should be 'tickled' with a cat-o-nine-tails.
>
> The remembrance of these dire punishments has oft-times crossed my comfort. On these detestable occasions from four to six Drummers, according to the degree of the sentence, were arranged beside the halberts to which the victim was bound. These operators were changed every twenty lashes, so that the vigour of the strokes might be sustained. In Court-martials of this description, of which it was my lot to be a member, I would never vote for more than two hundred lashes.

Gatclif returned to England in the late seventeen-nineties and then decided to leave the Army. He tells us briefly that his mother urged him either to obtain a curacy or become a portrait-painter, and that he 'preferred to join the ranks of the Clergy'. He does not indicate anywhere in his book that he possessed any qualifications for the calling. He was ordained in 1801, became incumbent of Gorton, in Lancashire, in 1808, and acquired debts which led him to gambling in State Lotteries

and to a brief sojourn in Fleet Prison. He died in 1831 and was buried in the chancel of his church in Gorton.

Gatclif describes the life of an officer in the 52nd during the last two decades of the eighteenth century. George Napier in his autobiography covers the first fourteen years of the following century, when he served with the regiment at home, in Sicily, and in the Peninsula. He joined as an ensign in 1802, after having been a cornet in the 24th Light Dragoons in 1800, when he was fifteen, and subsequently a lieutenant in the 46th Foot and an aide-de-camp to General Sir James Douglas. Napier's reversion to the rank of ensign in 1802 was due to the Army reductions which followed the Peace of Amiens, but he remarks of his new appointment that it was 'the commencement of my military career, as till I entered the 52nd Regiment I had learned nothing of my profession'.

It is clear from Napier's pages that the outlook on life of officers of the 52nd had undergone a considerable change since James Gatclif's period of service. Egotistical absorption in personal honour is seen to be fading rapidly. Quarrels and duels are of rare occurrence. Personal honour becomes linked with duty and professional pride, and with the pursuit of glory and fame. Lively expressions of an idealistic concern with these colour Napier's pages, which, like those of many diarists and other writers of this period, are never dull or humourless. Among him and his companions of his own and other regiments there is an apparent unanimity that the pleasures of life in order of precedence are campaigning and fighting; warm friendships and cheerful company; horsemanship; field sports and games; and occasional affairs of gallantry, reputable or otherwise. Drunkenness and heavy gambling are seldom mentioned uncritically. Happy and carefree ignorance of the unconscious allowed the righteousness and glory of war and the enjoyment of killing men to be assumed without question as being in the nature of a superior form of field sport, but there is in Napier's book, and in others, frequent and striking reference to the need for the elimination of hate in the conduct of these activities; a nicety of exposition from which in modern times there is perhaps something that we should allow ourselves to learn.

We can learn something also from assumptions of a more

serious kind which many young officers of the period regarded as unquestionable. A surprisingly large number of them combined pleasure in living with active consciousness of the existence of God as the source of it, and with active consciousness also that suffering was His will, and manly endurance of it His demand. At home, in barracks or in camp, or on the battlefield, the suffering of pain in acute form for long periods without prospect of medicinal relief was regarded as inevitable, and was endured and mastered customarily in a manner which would be impossible for all but a few of us today. In the absence of drugs and anæsthetics the idea of controlling pain was as remote as the idea of controlling and averting wind and rain. The constant sight of the suffering of others forbade imagination to dim the prospect of it. Surgery was little more than a handicraft of probings and knives and saws and tar. George Napier provides, in order to increase the manliness of his children, detailed descriptions of battle-sufferings, wounds and amputations which few modern publishers would dare to print, but we deceive ourselves if we imagine that we are in any way superior to him and other military memorialists of the early nineteenth century in refinement and cultural outlook. Some serious thought regarding the cumulative effect on us of our immense, modern power of pain-elimination is overdue. Much of its value is unquestionable, but are we sure that it is wholly an easement of the struggle of our lives, and that we have not increased this struggle by allowing too much of the share of it which should be borne by our physical powers of resistance to be transferred and added to that borne by our nervous systems and our minds?

The third autobiography written by an officer of the 52nd is *Lord Seaton's Regiment*. The author, William Leeke, joined the regiment as an ensign in 1815, five weeks before the Battle of Waterloo, in which he carried the Regimental Colour. He served as an ensign until 1824, when the limited peace-time prospects of becoming a lieutenant combined with his own strong inclinations and led him to leave the Army. He went to Cambridge and was later ordained. The contrast between his and George Napier's descriptions of life in the 52nd is as striking as that between the accounts given by Napier and

Gatclif. Leeke unwittingly and amusingly reveals himself as a conceited, thick-skinned, unsnubbable but wholly likable, youth of seventeen when he joined the regiment. He found among his fellow officers, side by side with the pursuit of worldly pleasures, much serious consideration of other values, together with an active concern, among some of his seniors, with the new tenets of the Anglican variety of evangelical religion which was spreading among the wealthier classes. In his narrative Leeke describes at length the slow, gradually acquired but complete change in his life and outlook which resulted, but further study of the historical detail which he and George Napier preserved must await its place in the sequence of events which it clarifies.

CHAPTER II

SIR JOHN MOORE

AT SHORNCLIFFE, during the latter half of 1803, the 52nd found that they were part of an army of forty thousand men stretched between Deal and Hastings. This was the first line of defence against any attempt at invasion that might be made by the huge French army at Boulogne across the Channel. The 52nd found also that with two other regiments and two strong Militia battalions they were to form a spearhead of defensive action under the direct command of their Colonel, Major-General Sir John Moore.

There are few curiosities of recorded history more interesting than that of Sir John Moore's place in it. Wherever the English language is taught or spoken his name is known familiarly as the consequence of a poetic, but largely inaccurate, description of his burial at night on the ramparts of Corunna, and to millions of people throughout the world the fact that he died there is all that is known of him. The real fame and admiration which Moore deserves have been withheld from him, but this is not wholly the fault of historians. What is called greatness in men is often something that is beyond the powers of writers to describe, even when they have the aid of a background of outstanding achievements by its possessor. In spite of the immense, fully recorded achievements of Wellington, together with the innumerable biographical accounts of him which exist, it must be admitted that he remains unknown and unexplained. About Moore there is little glamour of achievement to help express his greatness. It has been said of him that he was the greater of the two generals, and that had he been allowed the customary span of life the fact would be unquestioned. In our present state of ignorance of that evasive entity called 'personality' it is futile to embark on such comparisons.

The word 'personality' is rapidly becoming a curiosity of the English language. To say glibly of a man that one admires

him 'for his character and personality' is becoming an almost meaningless cliché. This will at once be obvious if the speaker is asked to differentiate between, and explain, the two words. They convey meaning which can be sensed generally to some extent, but they are being made wholly incomprehensible by the confusion of the conflicting conceptions of 'personality' held by psychologists, theologians, philosophers, scientists of various kinds, business and Service executives, and others who habitually employ the word. Without any claim to correctness or completeness of definition and meaning, and solely for the purpose of avoiding confusion in the minds of readers of these pages, it can be stated that here the word 'character' is intended to express the reactions of a person which can be reliably predicted to reveal themselves and find expression in response to the stimulus of any known situation or set of circumstances. The word 'personality' is intended to express that mysterious entity, the innermost 'I' in each of us with which we are born; something which can be sensed but cannot be analysed or clearly defined; something which is completely the product neither of heredity, environment, glandular action, nor internal or external stimuli, and is still a mystery which is as baffling to human knowledge and understanding as is life itself.

Sir John Moore was born in Glasgow on 13th November 1761. His sole experience of school life in Britain was as a pupil, for a short time, at Glasgow High School. Thereafter his education was unique. His father was a physician who was also well-known as a medical writer and teacher, an author of travel books, and a novelist. His mother was the daughter of the Rev. John Simson, Professor of Divinity in the University of Glasgow. In 1772, when John was eleven, that remarkable lady, Elizabeth, Duchess of Argyll, the younger of those two Irish beauties, the Gunning sisters, invited Dr Moore to take the young Duke of Hamilton, then aged fifteen, the son of her first marriage, for a four-year tour of the Continent. Dr Moore was granted her permission to take his young son along with him, with the result that John spent the period of his boyhood from eleven to fifteen visiting European capitals and courts, being tutored mostly by his father, and acquiring, for a boy of his age, a curious and unusual outlook on life. Some interesting

pointers to the later development of his personality are provided by the records of this tour.

At first John was carefully excluded by his father from the high social circles to which he and the young Duke had access, and for some time was deposited all alone at a school at Geneva. When he travelled with his father and the Duke he was left largely in the company of the servants. He wore a uniform of military design and soon revealed a passionate interest in soldiers and military affairs of every kind. He quickly acquired a knowledge of French and German, and made friends on his own initiative, in social circles much lower than those in which his father was obliged to move. In spite of this, a warm and affectionate friendship presently developed between the two boys which, in view of the Duke's tendency towards philandering, caused some concern to the Doctor, and explains the strictness with which he ordered the daily life of his son. At a later date his letters to his wife reveal that there was no need for either anxiety or strictness, or for enforcing social limitations. He writes of John from Geneva on 11th July 1776:

> Though he has been caressed by all the high and mighty of the Republic, and is always invited with the Duke and me, yet if, at the same time, he has an invitation from any of his old acquaintances, of a much humbler class, he always prefers the latter. I pressed him one day to go with us, because the people had insisted particularly on his coming; and it was to a fine villa and a most brilliant party; he silenced me with this sentence: 'They who have invited me are poor; they were kind to me when the others did not think me worth their notice.' Never was a creature less spoilt than your son by all the great people who have caressed him, nor by all the uncommon fine situations he has been in; though his manner is manly and noble, yet it is simple, and he assumes no airs; he is a charming youth.[1]

When John was only twelve, his father noted:

> He is often operating in the fields and informs me how he would attack Geneva, and shows me the weak part of the fortifications.[2]

On 2nd May 1775 John wrote to his brother Graham:

> My father is constantly with Field-Marshal Sparken who is a fine old

[1] From *The Diary of Sir John Moore*, edited by Major-General Sir Frederick Maurice, vol. I, p. 7. Of this letter Major-General J. F. C. Fuller writes: 'The boy was father to the man. This same kindliness towards others was not the least of the factors which rendered his system of training British soldiers as near a perfect system as our history has to relate of.' ('Sir John Moore's System of Training', *Oxfordshire and Buckinghamshire Light Infantry Chronicle*, 1921, p. 152.)

[2] *Diary of Sir John Moore*, vol. I, p. 5.

soldier with grey hairs, and has been in many battles. He loves the English and is very good to me. At Brunswick the Duke got a sergeant, who came every day and taught us the Prussian exercise. We are both pretty alert, and could fire and charge five times in a minute. We fired thirty times each, the last day of our exercise.[1]

In May 1775 John accompanied the Duke and his father when they were received in Berlin by Frederick the Great, and enjoyed the excitement of seeing forty thousand troops of all arms exercising for three days in combined operations designed to imitate real warfare. The old Jacobite rebel, Earl-Marischal Keith of Scotland, who was one of Frederick's favourite generals, responded to John's serious and eager enthusiasm by presenting him with a brace of Prussian pistols and a small pocket Horace. In these travels John learned from German officers that they 'used the discipline of the cane upon every slight occasion'.[2] In Vienna, later, the Emperor, Joseph II, offered John a commission in the Austrian Army, with a promise of rapid promotion, but both he and his father had other ideas about his future. In a letter of 21st October 1775 to his brother Graham, who was about to enter the Navy, John remarked: 'I hope that in some years after this you and I will thrash the Monsieurs both by sea and land.'

In 1776, when John was fifteen, the Duchess of Argyll obtained an ensigncy for him in the 51st Regiment, which he joined in the following year. Soon afterwards he was given a lieutenancy in the Hamilton Regiment, the 82nd, which the young Duke had been given permission to raise and send to the American Colonies during the War of Independence. John saw battle for the first time and distinguished himself at Penobscot Bay. When he returned home after the war and found himself on half-pay in consequence of the disbandment of the Hamilton Regiment, the Duke procured for him a seat in the House of Commons, for a group of Scottish burghs. He was in his early twenties, and he does not appear to have ever spoken in Parliament. He had stipulated, when accepting the Duke's offer, for freedom to be allowed to vote as he pleased, and his Whiggish background did not interfere with his predilection for supporting the activities of the Prime Minister, the younger

[1] *Diary of Sir John Moore*, vol. I, p. 5.
[2] *Sir John Moore*, by Carola Oman, p. 26.

Pitt, who was his senior by only two years. It is probable that Moore was present at the debate in 1885 which followed the introduction of Pitt's Bill for establishing police in London, and witnessed that great statesman's discomfiture when the City Members forced him, by disgraceful tactics, to withdraw it. The years from 1784 to 1787 represent the only period of prolonged residence in England and of close contact with English social and political circles which Moore experienced in the whole of his life. He was in England again from 1801 to 1806, but throughout this period he lived almost exclusively in camps and their neighbourhood. He spent short periods of leave with his parents in London, Dr Moore having brought his family to live there soon after his return from his tour on the Continent with the Duke of Hamilton.

In 1787 John Moore gladly accepted an offer to return to military service with the rank of major, and with command of a new battalion of the 60th Regiment which was in course of formation. Thereafter he served with various regiments, and in Staff appointments and commands in Gibraltar, Corsica, the West Indies, Ireland and Holland, and in Egypt with Sir Ralph Abercromby. He returned to England in November 1801, at the age of thirty-nine, with the rank of major-general, having gained the outspoken respect and affection of almost all officers of all ranks who knew him and had served with him, and the confidence and expressed appreciation of Pitt, Dundas, Fox, the Duke of York and King George III. In inevitable consequence of some inherent inability to suffer fools gladly, he had also made a number of jealous and vindictive, but influential, enemies, particularly in diplomatic and political circles.

This study is concerned less with the field, administrative and diplomatic record of Sir John Moore than with his attitude towards the state to which the Army had degenerated in the latter years of the eighteenth century and the means he employed to reform it. In these years the Army was at probably the lowest level of disorder and disorganization to which it has ever fallen in all its history. It can be justifiably argued in excuse for a revolting system of maintaining discipline by cursings, punishments of hundreds of lashes for trifling crimes and offences, and hangings, that without these measures the

Army could not have remained in being. In spite of what should have been the lessons of the American War of Independence, most regiments were spiritless machines, functioning almost exclusively on a basis of drill copied blindly from the Army of Frederick the Great and used without system or uniformity. The commissariat and medical departments were incapable of functioning with sustained effectiveness in extensive operations. Colonels and lieutenant-colonels had little or no enforced responsibility for the efficiency or well-being of the unit they commanded. They could govern it in accordance with what were often extremely individualistic and absurd conceptions of their duties, or they could, and often did, neglect its welfare and efficiency altogether. Among regimental officers of lower rank, pride in their calling was rare, and military knowledge was almost non-existent. The majority were hard drinkers and gamblers.[1] Other ranks, largely as the consequence of the brutality of the discipline by which they were repressed, were notorious for the drunken and criminal activities in which they were always ready to indulge when opportunity offered.

Soldiers were recruited largely under a system of employment, by the Government, of leaders of organized gangs of crimps with whom contracts were made for the provision of recruits at a fixed price per head. The crimps secured their prey by force or guile among the criminal and near-criminal classes, and often by scandalous fraud in more respectable circles. Wide knowledge of the tyranny of this system and of the degraded and criminal propensities of soldiers account for the contempt and dislike with which the Army was regarded by large numbers of the people of England.[2]

The few senior officers who were seriously concerned about the state of the Army and sought to remedy it found a willing and influential supporter in the Duke of York, who was appointed Commander-in-Chief in 1798. He was two years younger than Moore. Study of military history soon reveals the injustice of the sneers which have been allowed to befoul the Duke's record, on account of his misfortunes as a commander in the field, when these are viewed against the background of the

[1] 'By getting a very worthless officer dismissed, more effect will be produced than if fifty poor men had been flogged.' *Diary of Sir John Moore*, vol. I, p. 236.

[2] This system proved wholly inadequate for providing recruits in large numbers for the wars with France, and was largely replaced by systems of bounties.

Army's inefficiency which was their cause, and in conjunction with what he achieved later, in face of strong opposition, in guiding it into the way of reform.

During the seventeen-nineties several officers of senior rank had propounded plans and initiated efforts to loosen the prevailing rigidity of drill and movement. In 1794 General Grey opened in the West Indies a training school for the purpose of restoring 'the perfection of Light Infantry attained during the American War'. In 1798 Viscount Howe of American War fame formed a camp for Light Infantry training in Essex, and companies with this title were inaugurated in a number of regiments. In this year appeared the first English translation of Colonel de Rottenberg's book, *Regulations for the Exercise of Riflemen and Light Infantry*, which had been published in Germany a year earlier, and what were known as 'the Dundas Exercises', invented by General David Dundas, were being used by some officers as a model for improving drill, notably by Lieutenant-Colonel Denniss of the 43rd, and by Major Kenneth Mackenzie of the 90th, who enjoyed the encouragement of Sir Charles Stuart and Sir Ralph Abercromby.

After his appointment as Commander-in-Chief the Duke of York soon noticed the outstanding qualities and abilities of Moore. He gave him his personal friendship and used him as confidant and adviser in making plans for Army reform and putting them into practice. Moore is believed to have been largely responsible for the creation of an Experimental Rifle Corps in 1800, which was permanently established in 1802 as the 95th Rifles. By the following year he had fully matured, and been given permission by the Duke to inaugurate, the complete basic plan of reform which is known as 'the Shorncliffe System'.

All plans for reform which had been proposed by individuals previous to the year 1803 were made with the object of improving drill and lessening the rigidity of movement. Moore's first task was to co-ordinate them all into a single system, but he alone of all who planned realized that much more than new and flexible drill was needed, and that what was essential as the basis of all reform was a new system of discipline and a new form of relationship between officers and men which would liberate and make effective the best qualities of both. His plan

was divided into two parts, *Moral Training* and *Military Training*. It is a notable expression of his personality. No other soldier of past or modern history could have imagined it, in the circumstances of his times. None after his death was found capable of sustaining the success he had with it. His seeds of reform lay for a century in the soil where he had sown them before they were seen to germinate, but some of them fell unnoticed in another garden, and were tended, and flourished unexpectedly.

At Shorncliffe the three young lieutenants, George Napier and Robert and Charles Rowan, soon forgot their temporary financial troubles in a daily life of strenuous hard work, and new interests and excitements. One of Moore's first actions on being given permission to carry out his plan was to eliminate all officers whom he considered unfit to support him in it, and also any of them who, after seeing the new drill and the work that was required of them, felt themselves either unable or unwilling to take part in them. A second battalion of the 52nd was formed for their convenience, and for the less worthy elements of other ranks, numbered the 96th and sent to Ireland. Robert Rowan went with it but some interesting correspondence at a later date shows that this was not due to any sense of his unfitness on the part of Moore, who had him back in 1804 to command a company. Robert seems to have been always undecided regarding his choice of the Army as a career.

George Napier records, modestly, Moore's expressions of satisfaction with him, and there is no question about Moore's regard for Charles Rowan. Moore not only gave him a captaincy with a company in the 52nd but also paid for the step, as the following letter shows:

To Messrs Cox, Greenwood & Co.

Sandgate, 12th June, 1803.

Gentlemen,

It seems to me but a shabby proceeding in Government to oblige the first lieutenants of regiments to raise men for rank, as they are in general a class of officer without money, and have already had the mortification to see several of their juniors purchase over them. Lieutenant Charles Rowan, the eldest lieutenant in the 52nd Regiment, is exactly in this predicament, but as he is a good young man, and an attentive officer, the want of a few hundred pounds shall not make him lose his rank upon this

occasion. I shall advance whatever is necessary to enable him to raise the thirty men required.

I beg, therefore that you will have the goodness to place to his credit three hundred pounds. I shall write by this post to Messrs Drummonds to sell some money I have in the Stocks and to lodge an equal share with you, but in the meantime I shall thank you very much to give credit, to the amount stated, to Lieutenant Rowan, that he may commence recruiting without delay. If this sum is not found sufficient, I shall order more to be lodged with you.

Lieutenant Rowan goes to town, and is advised to fix himself in London for the purpose of raising his men; but all the recruiting parties of the regiment are also instructed to enlist for him; therefore Lieutenant-Colonel Mackenzie, who commands the 52nd and to whom the parties will report their success, must, as well as Lieutenant Rowan, have the power of giving credit upon this £300; but upon this part of the subject I am not conversant, and shall take it as a favour if you will see Lieutenant Rowan when he calls, and direct him in what manner it should be arranged.

J. Moore, Major-General.[1]

This letter reveals the baffling financial and other complications of one of the several ways by which promotion was acquired at this period, and the fact that Moore himself was not conversant with it is interesting. Even more curious is the manner in which six months later George Napier secured a company. His family was almost as impecunious as the Rowans. He describes the event briefly[2]:

About this time, January 1804, I purchased a company in the regiment over the heads of many lieutenants, by which I got a great advance in my profession. I had been four years a subaltern, and was nineteen years and a half old, which was very young to be a captain. At the time the company became vacant, I could not get the money to buy it, and was very sorry to be obliged to give up all the idea of it, when an intimate friend of mind, a captain in the regiment, and whose subaltern I was, without saying a word to me, went off to London and lodged the 950 l. (the regular price) in the agents' hands upon my account, and I was immediately gazetted. This friend was Lord Frederick Bentinck.

A few months later George's younger brother, William Napier, who became famous as the historian of the Peninsular War, exchanged into the 52nd to be a lieutenant in George's company. Moore presently paid for William's purchase of a vacant company in the 43rd. William Rowan,[3] a younger brother of Robert and Charles, joined the 52nd as an ensign on

[1] *Diary of Sir John Moore*, vol. II, p. 80.
[2] *Life of General Sir George Napier*, p. 18.
[3] Field-Marshal Sir William Rowan, G.C.B. (1789–1879).

4th November 1803. There is a tradition in the Rowan family that the companies acquired later by Robert and William were both paid for by Moore.

Part of Moore's plan was to begin by making the 52nd a perfect model of what he conceived a regiment ought to be, and he concentrated his attention on its drill and organization, especially during the latter half of 1803, when he secured the appointment of Lieutenant-Colonel Kenneth Mackenzie as its Commanding Officer. Moore had specially chosen and asked for three regiments, the 52nd, the 95th and the 43rd, for special training at Shorncliffe, and the last of them arrived in January 1804. The nature and difficulties of his undertaking when he first embarked on it can be imagined in the circumstances of the times. They are glimpsed in a letter written by William Napier to his mother on 9th October 1804, soon after his assuming command of a company in the 43rd. Of his new regiment, he remarked: 'They are jealous of the 52nd, hate General Moore, abuse them behind their backs, yet toad-eat them to their faces.'

The three regiments became, nevertheless, a brigade famous not only in British but also in world military history.

The fact that no clear account or official record of Moore's Army reform plan and no comprehensive description of his Light Infantry drill have survived in writing is one of many similar curiosities of history. It may often happen that what is well known to anyone at any particular time fails to be recorded, and posterity is thus deprived of knowledge.

In deploring the loss of full accounts of Moore's plan and training, Major-General Sir J. F. Maurice aptly remarks[1]: 'It is that which is too commonplace to be noted for which fifty years hence biographers and historians search with vain regret.' The search in this instance has not been wholly in vain. In the hearts and minds of many young officers whom he trained Moore left an impression of himself which became a cherished memory in their later lives, and from details which some of them have recorded of him it has been possible to piece together a clear outline of his plan, and to obtain from it some interesting glimpses of his personality and his ideals.[2]

[1] *Diary of Sir John Moore*, vol. II, p. 85, footnote.
[2] See, particularly, the work done in this connection by Major-General Sir

Recognition of the need for infantry flexibility in battle had been forced on British Commanders in the Seven Years War, particularly in America, and in the American War of Independence, but by the end of the eighteenth century the lessons of these campaigns were remembered only by a few. When the wars with France opened in the seventeen-nineties, the enemy was found to be using skirmishers, at first in unorganized mobs and later as trained *voltigeurs*. For British armies skirmishers became a necessity, and the lessons were soon learned that they must be used in comparatively large numbers and that their function was distraction, as a preliminary to the use of closer formations for decision. These conceptions were the tactical basis of Moore's training. He planned perfect and complete control of all movements by training officers and men alike in perfect knowledge and understanding of what they had to do on words of command in all circumstances. A Light Infantry regiment and each of its companies was taught to turn itself speedily, from column, line or square, into a line, or groups, of skirmishers or outposts and pickets, and back again into solid formations as required. As advance guard or rear guard, and for harassing enemy forces or distracting them from their objective, Light Infantry regiments became invaluable and, as Moore and Wellington found later, they were often the decisive factor in victories and successful retreats.

Moore realized that, for these new tactics and the rapid complicated movements which they demanded, fundamental reorganization of military discipline was necessary, and that the mechanical words of command and stereotyped movements of the old system must be largely abandoned and replaced by some means by which the private soldier could be induced and relied upon to think and act for himself, in close co-operation with his officers and with full understanding of what was required of him. He had to be educated into something very different from an automaton controlled by a discipline based wholly on fear of his officers, which was his customary rôle. Moore conceived and initiated a new discipline, based on a new relationship between officers and men, which required, from officers, be-

J. F. C. Fuller, D.S.O., in *Sir John Moore's System of Training*, and four articles in the *Oxfordshire and Buckinghamshire Light Infantry Chronicle*, 1921, 1922, 1923, 1924.

haviour towards those under them carefully calculated to win respect, confidence, trust and affection, and, as a consequence, willing co-operation of a kind wholly unimagined under the previously existing system. In the two separate parts of Moore's great Army reform plan, *Military Training* covered the new Light Infantry drill and movements, while *Moral Training* provided the detail for raising the status of the soldier as an individual and teaching him self-respect, by means of new intimacy in his relationship with his officers.

George Napier describes the opening phases of Moore's inauguration of his new plan at Shorncliffe in words which provide a clear outline of it, although, unfortunately, exact details of drill and orders have been recorded neither by him nor by any other writer.[1]

> Very soon Colonel Kenneth Mackenzie took the command of the regiment, to which Sir John Moore had him appointed as the officer at the period best adapted to form a Light Infantry regiment; ours being the first of that description of force; and as Colonel Mackenzie was an old, experienced, and skilful officer, and had served a great deal, and particularly distinguished himself in Egypt in command of the 90th Regiment, and, indeed, was generally considered the best commanding officer in the army, Sir John Moore was fully justified in his choice of such an officer to command his regiment of which he was proud to the greatest degree, and loved and treated us all as if we were his children. It was impossible for any father to devote himself more to the welfare of his sons than did Sir John Moore to that of his officers, and no parent could be more revered and beloved than he was by us all—officers, non-commissioned officers and privates.
>
> Colonel Mackenzie began by assembling the officers and telling them that the only way of having a regiment in good order was by every individual knowing and performing his duty; and that if the officers did not fully understand their duty, it would be quite impossible to expect that the men could or would perform theirs as they ought; therefore the best and surest method was to commence by drilling the whole of the officers, and when they became perfectly acquainted with the system, they could teach the men, and by their zeal, knowledge, and, above all, good temper and kind treatment of the soldier, make the regiment the best in the service; and, as he predicted, it did become the finest and best behaved corps, both as regarded officers and men, that was ever seen; and by the system then commenced and afterwards perfected, the 52nd Regiment was considered as a nucleus from which that beautiful brigade, consisting of

[1] *Life of General Sir George Napier*, pp. 12-14. The author was addressing his children and was unaware that what he wrote would be published eventually. Innumerable similar appreciations of Sir John Moore by other writers are expressed in more restrained language, but give a less clear picture of him.

the 43rd, 52nd and Rifle Corps, was formed at Shorncliffe Camp under Sir John Moore's own eye, and which afterwards was so distinguished in the Peninsular War as 'The Light Division' of the Duke of Wellington's army under General Robert Craufurd, and which gave commanding officers to many a regiment in that army, as well as numerous adjutants and subalterns chosen from the non-commissioned officers of those three regiments.

This brief summary of the later history of the brigade is correct as it stands but it is marred by omission of the fact that fame was acquired in spite of the discarding of much of Moore's basic ideals and conceptions by commanders who were incapable of understanding them, and therefore incapable of teaching them or insisting on their being taught.

George Napier continues:

> The great thing that Sir John Moore and Colonel Mackenzie used to impress upon the minds of the officers was that our duty was to do everything in our power to *prevent* crime, as then there would be no occasion for punishment; and if any of you, my sons, obtain the command of a regiment, recollect that it is by *the unfrequency of crimes* in your regiment, and not by the few punishments that may appear in the regimental books that a general officer will judge of its state of discipline and of your capacity and conduct as a commanding officer.

The full significance of this extremely interesting pronouncement can be realized only if it is viewed against the background of contemporary history of law-enforcement in Britain. What is revealed is that Moore had adopted, in the comparatively narrow field of the community life of a regiment, a new theory which was being energetically advocated at the time by another Scotsman from Glasgow, Patrick Colquhoun, for use and adoption in the infinitely wider sphere of the community life of the nation. What will emerge presently in these pages is the fact that it was solely on account of Moore's adoption, in a regiment, of Colquhoun's principle of *preventing* crime that it was saved from oblivion by a young officer, Charles Rowan, and eventually adopted by the nation. Colquhoun's activities at the turn of the century make necessary a brief digression from the main thesis of this study.

Throughout the eighteenth century and later, authority and people in England believed almost unanimously that the only means by which order in the community could be maintained was to repress crime with violence and brutality. Colquhoun

was not the originator of the theory that crime could be prevented. Vague beginnings of the theory are seen in the minds of various eighteenth-century writers both in England and on the Continent. Blackstone wrote, with typical obscurity of meaning: 'Preventive justice is upon every principle of reason, of humanity, and sound policy, preferable in all respects to punishing justice', a sentence which becomes wholly incomprehensible in the light of his emphatically expressed approval of the penalties provided for breach of the criminal laws of the eighteenth century, among which was death by hanging for 223 so-called and listed crimes, many of which were only trivial offences. The practical possibilities of crime prevention were first seen by Henry Fielding, the playwright and novelist, when he became a magistrate at Bow Street in 1748. Accounts of crime and disorder and of the freedom of criminals from arrest or interference in the streets at that time make almost incredible reading. No one dared to walk unarmed except in daylight in crowded streets. Thieves and highwaymen did not need to conceal their professions or refrain from boasting openly, in inns and eating-houses, about their exploits. At night anyone who had a grievance against a neighbour could raise a riotous mob, merely by loudly indicating the grievance in a speech at a street corner and suggesting the possibility of loot. The houses of all respectable citizens were armed fortresses. The rich, who could provide themselves with armed servants as garrisons and escorts, were usually, but by no means always, secure. Among orderly citizens there was no vestige of co-operation of any kind against the disorderly. Parish constables and nightwatchmen were impotent, and large numbers of them were rogues. Troops could be summoned on occasions of serious trouble but were rarely available until destruction, arson and often murder had occurred. There were no police who were in any way comparable with the police as we know them today.

Henry Fielding conceived the idea that citizen-householders should combine under his leadership to prevent crime and disorder by going out into the streets in groups, and arresting and bringing to his court known thieves and highwaymen, and individuals found attempting, in the language of the period, 'the blowing-up of mobs'. His first practical experiment on these

lines was a small body of selected men, who were soon increased in number. The immediate results of their effect in the neighbourhood of Bow Street were called miraculous. The Government of the day provided means of payment for them, and they became in course of time the Bow Street Runners. Newcastle demanded and obtained from Fielding a plan of police for the whole of London, but all Government efforts to extend Fielding's conception failed in face of the opposition of powerful mercantile leaders, who for one reason or another had financial interest in preserving public 'liberty' to break laws. Mobs 'blown up' on a large scale were a useful political mercantile weapon with which to fight proposed profit-reducing legislation of any kind, and freedom to commit crime and exploit vice had become a profitable large-scale industry in London in which many wealthy merchants were implicated. The younger Pitt succeeded eventually, in 1792, in establishing a number of stipendiary magistrates in London with a small number of paid constables attached to each court, in accordance with Fielding's proposals. One of the magistrates was Patrick Colquhoun, who, like a great many other Scotsmen at that time, owed his appointment to the influence of Henry Dundas.[1]

There appears to be no factual evidence that Colquhoun and Moore were known to each other. Colquhoun had been Lord Provost of Glasgow for three successive periods of office, and he had founded the Glasgow Royal Exchange and Chamber of Commerce. He was a merchant of international reputation, and it is most unlikely that the Moore and Colquhoun families were unknown to each other. A further probable connection lies in the fact that in 1803 Moore became a close friend of Pitt and his neice Lady Hester Stanhope, and that Colquhoun had been closely in touch with Pitt during the late seventeen-nineties, drafting for him completely a bill for the establishment of police in London, which was never presented to Parliament, on account of Pitt's loss of office. It was during this period, between 1796 and 1806, that Colquhoun's book, *A Treatise on the Police of the Metropolis*, appeared. It was widely read and discussed and achieved seven editions.

In various books and pamphlets Colquhoun propounded the principle of preventing crime and disorder, and what he called

[1] Henry Dundas, Viscount Melville, 1742-1811.

'The New Science of Preventive Police, now in its infancy and only beginning to be understood'. He warmly acknowledged Henry Fielding as the source of his inspiration. In spite of the success of his *Treatise* and the attention which was given to it in political and business circles, Colquhoun, like Fielding, failed in what he attempted, being defeated by attacks and propaganda against the establishment of police of any kind, which issued from City merchants and others interested in the financial exploitation of crime. By their propaganda they played successfully on the popular fear of having police on the French model, and on the almost unanimous belief held by lawyers, judges and politicians that severity of legal punishment was the sole means of controlling crime.

Although he was a successful and enterprising merchant, Colquhoun found that the greatest of his interests was social reform, and in pursuit of this he sacrificed all else. It was the attraction of the scope offered in this field that led him to seek appointment as a magistrate. He and Fielding were alone in recognizing that police reform was a vital preliminary necessity for the mass of other reforms, including that of the criminal laws, which each of them eagerly advocated and sought. In advocacy and aims they were the greatest social reformers of their era. Others like them, such as the criminal law reformers, Romily and Mackintosh and the disciples whom they gathered, were tragically blinded by the belief that laws by themselves were all-sufficing and seemingly self-enforcing. They believed that the criminal-law barbarity of the period was the sole obstacle in the way of national, social and moral reform, and were active and often bitter opponents of police reform. Their influence in Parliament and especially on Committees was largely the cause of the long postponement of police reform, which cleared the way for other kinds when it was at last achieved. Colquhoun died in 1820, defeated and ignored. Two years later the fallacy of the Criminal Law Reformers' beliefs was first exposed in Parliament by Peel, who, with Liverpool and other Ministers, had been led by dire experience of the failure of legal severity and military repression of disorder throughout the country to recognize the values of the unheeded lessons taught by Fielding and Colquhoun. After his first effort in 1822 to call attention to the urgent necessity for police, Peel

was told emphatically by a Select Committee whom he appointed to report on the subject:

> It is difficult to reconcile an effective system of police with that perfect freedom of action and exemption from interference which are the great privileges and blessings of society in this country; and your Committee think that the forfeiture or curtailment of such advantages would be too great a sacrifice for improvements in police.

Peel was obliged to wait for seven years, until 1829, before he found himself with sufficient power in Parliament to fulfil his plans.

CHAPTER III

THE TRAINING OF THE 52ND

THE effect on his officers of Moore's conception of crime-prevention in a regiment and what he believed should be the relationship between officers and men can be illustrated by some further extracts from George Napier's address to his children. He warns them[1]:

Always bear in mind the difference between your situation as an officer, and a private. You have every stimulus for exertion, honour, rank, fame, comfort and often pecuniary employment. What has the soldier? Nothing but consciousness of having performed his duty . . . and of course he cannot be expected to have the same energy as his officers; for which reason the officer should never permit himself to hurt the feelings of a private by swearing at him or using harsh expressions. Try every method before you resort to punishment—but let that be the last. I have rarely met with a private soldier who had not feelings, and keen ones, too, although often, indeed, they have been blunted by bad example and harsh treatment. Still, by perseverance and kindness, and letting them see that you look upon them as rational beings and as fellow-men, you will seldom fail to bring them back to their original disposition. The officer who considers himself a better man than the private, except from his superior education and intelligence, is a presumptuous fool! . . . It is the interest as well as the moral duty of all officers to treat the men committed to their charge with every attention, kindness, justice and *respect*, for this is no improper word.

George Napier returns frequently to the subject of an officer's relationship with other ranks. He writes later[2]:

It rarely happens when a soldier is treated with kindness and the respect shown to him which is due from one man to another, that he will be insensible to such treatment and persevere in an evil course of life. The fault generally lies with the officer who, not having carefully watched and studied the character and disposition of his soldiers, is far too apt to imagine that *punishment*, as it is the least trouble, is the only way to keep soldiers in order; and by once ordering punishment, the soldier is disgraced for a slight crime, rendered careless and reckless of his future

[1] *Life of General Sir George Napier*, pp. 124–6.

[2] *Ibid.*, pp. 268–71.

conduct, and, from disgust and sulkiness and severe treatment, becomes a bad soldier and a worse man. Therefore I hold that the first and greatest duty an officer has to perform is that of *preventing* crime in the soldier, and the surest and most honourable means of doing so is to look upon the soldier as a fellow-citizen who, being, by the admitted laws of society, and for the good of the State, placed under you in rank and station, is, nevertheless, as good a man and as good a Christian as yourself.

The reasons for using these extensive quotations from the work of George Napier must await the further progress of this study, when it will become apparent that the lessons learned under Moore's leadership and influence and the sentiments derived from them which were expressed by Napier were shared, remembered and practically expressed by his friend and companion, Charles Rowan, in his making of our modern police.

That Moore's *Moral Training* system was applied to the 52nd with complete and perfect practical success while he was alive is proved by an unbiased contemporary record of the year 1804, which is a Report by Lieutenant-Colonel R. T. Wilson on 'The Present State of the Military Forces of the British Empire'. He singled out the 52nd in 1804, after it had been trained by Moore and Mackenzie, as an ideal regiment, and wrote of it[1]:

> In proportion as officers are ignorant of their duty, and unequal to the command of men, punishment is more frequent, notwithstanding there are such strong proofs of the inefficacy of such severity. The 52nd Regiment is, at the moment, indisputably one of the first corps in the Service in every respect. The cat-o-nine-tails is never used, and yet discipline is there seen in the highest state of perfection. In other corps continual punishments are taking place in the fruitless attempt of rivalling the 52nd, whereas the very means employed for ever prevent the possibility of their attaining mediocrity.

References to Moore's training made by contemporary writers are almost the sole source of knowledge of it, and of descriptions which have appeared in later years. One by Lieutenant-Colonel W. Clark, explains it as having been based on three principles[2]:

1. That it was necessary to have the officers efficient before the men, and to require of the officers real knowledge, good temper, and kind treatment of the men.

[1] Quoted by Major-General J. F. C. Fuller in the *Oxfordshire and Buckinghamshire Light Infantry Chronicle*, 1924, p. 216.

[2] 'The Maintenance of Discipline', *Oxfordshire and Buckinghamshire Light Infantry Chronicle*, 1894.

2. That power should be delegated to officers commanding companies; the men to be taught to look up to them in matters alike of drill, food, clothing, rewards and most punishments.
3. That all officers and non-commissioned officers were to understand that it was their business to prevent rather than to punish crime.

Colonel Clark adds:

The whole system was one of developing, not of repressing, intelligence; of making the development of the man contribute to the effective unity of the whole; of enlisting the zeal of the private as much as of the officer in perfecting the whole.

From this summary of Moore's system, Colonel Clark offers the following definition of discipline:

The spirit engendered by cheerful and unhesitating confidence from the lowest to the highest.

On this he comments:

One great secret of discipline for Officers and Non-Commissioned Officers is for them to know how to make the most familiar intercourse with the men compatible with absolute authority, for if you attempt to keep up discipline by all in authority holding aloof from those under them, you only maintain discipline by fear and not the true discipline inspired by confidence and affection.

These remarks are of value to an audience infinitely wider than the single regiment to which they were addressed. No one who is incapable of giving and inspiring confidence should be entrusted with the maintenance of discipline in industry, in the Services, or in any other sphere.

Major-General Fuller writes of Moore's system[1]:

Based on human nature, by appealing to the heart, it controlled the mind, which in its turn commanded the body. It was a system of common sense, a system based on experience and on principles drawn from a close and shrewd study of history. It is as fresh today as yesterday, because it is essential and true.

Another aspect of Moore's system is shown in a letter which Charles Napier wrote to his brother William[2]:

It pleases me that you design to notice that real corps of instruction —Shorn Cliff. There, officers were formed for command . . . though drill was an important part of the instruction, it was not by that alone the soldier was there formed. It was the internal and moral system, the constant superintendance of the officers, the real government of the captains, which carried the discipline to such perfection.

[1] *Oxfordshire and Buckinghamshire Light Infantry Chronicle*, 1921, p. 58.
[2] *Life and Opinions of General Sir Charles Napier*, by General Sir William Napier, vol. I, p. 58.

In his book, *Lights and Shadows of Military Life*, published in 1851, Charles Napier uses these words: 'Moore's system perhaps now deteriorated is still that of the British Army.'

At no time during the nineteenth century can Moore's system ever be called that of the British Army. After his death and the retirement and death of most of the officers whom he trained, very little of the system was allowed to survive, even in the 52nd. How quickly most of its fundamental elements disappeared is revealed in an address given in the Barbados in 1839 by the Governor, Lieutenant-General Sir Sanford Whittingham, to the 52nd after a review. In summarizing the history of the regiment since it had become Light Infantry, all that he could say on the subject of its peculiar merits was as follows:

> It is impossible for any commanding officer to carry on efficiently the command of the regiment, unless aided and assisted by that class of officers who have ever, in all well-organized armies, formed the basis upon which military discipline must rest. The captains of companies are the responsible agents to the commanding officer for the different portions or divisions of which a battalion is composed. But in order to ensure their cordial co-operation in the wishes as well as orders of the Chief, a certain and due proportion of power must be delegated to them, and the non-commissioned officers and men of their respective companies must be accustomed to consider their captain, under the superior authority of the commanding officer, as the distributor of all minor rewards and punishments.
>
> This system, invariably acted upon, has preserved the 52nd for thirty-five years in its present, splendid condition.

It is significant that the speaker, who was a soldier, could recognize in the 52nd in 1839 no more of Moore's system than the increased use of company commanders which is described.[1] Moore was a century ahead of his times. The fact that his system is basically that of the British Army in the twentieth century is the consequence of the work of later reformers, who have been generally unconscious of having followed his leadership.

Lieutenant-Colonel Kenneth Mackenzie arrived at Shorncliffe to take command of the 52nd either towards the close of 1803 or early in the following year. He had joined the Army

[1] There is incidental interest in the speaker's use of the word 'divisions', in place of 'companies', so late as the year 1839. See later references to police 'Divisions'.

as an ensign in 1767, and had distinguished himself in various regiments in a number of campaigns, including those of the West Indies, the Netherlands, Portugal in 1796, Minorca and Egypt. In the course of the Egyptian campaign, led by Sir Ralph Abercromby, Moore had noticed Mackenzie on account of some unusual ideas on drill, based on the Dundas System, which he was preaching and practising in his regiment, and these led to Moore's request for him to be given command of the 52nd. He was Moore's senior by seven years, and a fellow-countryman from Ross-shire who owed his success in the Army partly to recognition of his merits by another Scottish soldier, Thomas Graham of Balgowan.[1] Mackenzie was invaluable to Moore at Shorncliffe in connection with drill. The difficulties of the task to which Moore set himself can be imagined, and many of them are clearly revealed by his correspondence. On 4th September 1803 he wrote to Colonel Calvert, the Adjutant-General[2]:

I had hoped from the pains I have taken and the mode I directed to be followed in the instructions of the regiments of my brigade, to have made much progress . . . but except in the 52nd the progress has been trifling. The other Commanding officers, though many of them good enough men have not military heads, and seem incapable of acting from general instruction. I am satisfied that to have a tolerable army it will be necessary for H.R.H.[3] to take some strong measures. Some commanding officers, the state of whose regiments justify it must be told to retire from the service, the duties of which they are unequal to. The command must not be allowed to devolve upon the majors, who may be equally incapable, but be given to officers of approved talents. One or two measures of this sort generally known would excite an exertion which at present is much wanted.

Moore's innovations included an entirely new system of drill and movement in new open, as well as closed, order; the drilling of officers in the ranks, with privates; the allowance to all officers of only a small portmanteau and a camp bed as personal baggage, all other items of their customary massive belongings having been put in store; the provision of one horse per company for officers' baggage; insistence on the whole brigade's being able to march anywhere, by day or night, within an hour of receiving an order to march; and the encouragement of officers

[1] Later General Lord Lynedoch.
[2] *Diary of Sir John Moore*, vol. II, p. 78.
[3] The Duke of York, Commander-in-Chief.

to befriend their men and take part in competitions with them in athletic games and pastimes. These new features of Army life make Moore's discovery that regimental commanders of the period had not 'military heads' and seemed 'incapable of acting from general instructions' scarcely surprising. He seems to have anticipated his difficulties in these respects. Before going to Shorncliffe he wrote to Major-General Brownrigg, the Military Secretary, on 17th January 1803: 'The service of Light Infantry does not so much require men of stature as it requires them to be intelligent, handy, and active, and they should in the first instance be young, or they will neither take to the service nor be easily instructed in it.'

In the enthusiasm, appreciation and devotion of his younger officers Moore found compensation for the trouble presented by their seniors. Charles Napier, who was the eldest of the three Napier brothers, served under Moore as a captain in the Staff Corps at Shorncliffe, and gives this picture of him[1]:

> Sir John Moore was destitute of affected dignity. He entered into the society of those under his command as their equal . . . he required no external aid. There was among his officers an awe of him: but it was not inspired by any reserve or haughtiness of manner on his part, though I have seen him put down pert and self-sufficient men by a degree of sarcasm, which few could withstand: those who could were not likely to provoke it. His manners were extremely polished and agreeable, and at times even playful. . . . Regard, admiration, and, in very many instances gratitude for the deep interest he took in their affairs, were the feelings which were entertained for Moore by all under his command. . . . Moore's nature was unaffected, kind, gentle, benevolent; nor was he roused to severity until provoked by great want of zeal for the public service, or by great criminality.

Training at Shorncliffe progressed satisfactorily in spite of difficulties. In 1804 that of the 52nd was considered complete, and the other regiments in the camp were made a single, functioning brigade-unit with it. On 23rd August 1804 the Duke of York inspected them. On the following day the 52nd paraded before him, by itself, and demonstrated exercises and manœuvres. On the 29th the effect made on the Duke was shown by an order from the King granting 'exceptional promotion' to the officers because of 'the superior state of the 52nd

[1] *Lights and Shadows of Military Life*, by General Sir Charles Napier, K.C.B., p. 55.

Regiment'. As a result of this Moore made in general orders the following announcement which is typical of him:

> The officers owe it to their own good conduct and to the attention they have paid to their duty, but above all to the zeal with which they have followed the instructions of Lieutenant-Colonel Mackenzie, to whose talents and to whose example the regiment is indebted for its discipline and the character it has so justly acquired.

In the following month Moore was made a Knight of the Bath.

On several occasions Moore expressed his opinion that the invasion preparations at Boulogne were to some extent bluff on the part of Buonaparte, and this view has since been largely confirmed. Soon after the Battle of Trafalgar on 21st October 1805, but in accordance with plans made and orders given before that date, the French Army was found to have left the coast and to be marching in the direction of Austria. Moore's regiments remained for some time in the neighbourhood of Hythe and Shorncliffe. What is recorded of the history of the 52nd during the few years which followed is of interest only on account of the light which is thrown on the personalities of Moore and Mackenzie by some private letters of this period which have been preserved.

On 16th December 1804 Colonel Kenneth Mackenzie was married to a Canterbury heiress, Miss Rachel Andrews. About a year later, at a date which can be presumed from one of Moore's letters as being before the French Army left Boulogne, Mackenzie fell from his horse and suffered concussion which invalided him out of the Army for some years. Moore wrote an account of the accident to the Colonel's cousin, Major-General Alexander Mackenzie[1]:

> Sandgate, Thursday night.
>
> Dear Sir,
>
> Your letter reached me when I was dining from home. I was therefore obliged to postpone answering it until now, which I do before I go to bed, that it may be despatched in the morning early.
>
> I have the satisfaction to inform you that Mackenzie is now perfectly out of danger. Saturday se'-night he fell from his horse at full gallop. It was before the rain, and the ground was hard: he lay senseless for some minutes: he was bled and conveyed to this place in a chaise. From the beginning it was perceived that his skull was injured; but the effects of concussion of the brain, still more dangerous than a fracture, could not

[1] Later Lieutenant-General Alexander Mackenzie Fraser.

be known until after eight or ten days; and he had symptoms which caused considerable alarm.

There happened, independent of our Regimental Surgeon, to be here a Staff Surgeon of general experience, and Dr Jackson, a very able man of whom you may have heard. Every care was taken of the Colonel, and after ten days of great anxiety we were at length relieved. He has been kept low, and is very weak, and must be for some time kept from duty, but all danger is over, and he sees his friends.

He is your relative; but I know not if you have had the opportunities as we have had of knowing his value as a man and an officer. It must be a satisfaction to him when he is told the anxiety which has been felt and expressed for his safety by every man and officer of his Regiment. For my part, I cannot tell you what I have suffered; for I do not know his equal in the service; but, thank God, he is preserved, and I trust will live to make his Country proud of him.

Farewell, dear Sir, I begin to think we shall have no visit from the French. I want to have none—until Mackenzie is in a state to watch my Flank.

Believe very faithfully,

John Moore.

In 1806 Moore was appointed second-in-command to General Fox in Sicily. He was a brother of Charles James Fox. For unknown reasons, after their training by him, Moore's Shorncliffe regiments were separated, but the 52nd went to Sicily as part of a new brigade formed under the command of Sir Edward Paget. It was on this occasion that Robert Rowan was recalled from the 96th and given Captain John Hunt's company in the 52nd following this officer's promotion. A year later Robert left the Army for reasons which are not recorded, and the matter of the disposal of his company was the subject of two self-revealing letters from Moore which have fortunately been preserved.[1] Mackenzie at the time was at home enduring a long convalescence, and was still nominally in command of the regiment. Moore as its Colonel never lost interest in it. As these two letters and others show, his power, influence and friendship were always at the disposal of its officers:

3rd February, 1807.

My dear Rowan,

I leave with Colonel [name illegible], the letter to Colonel Mackenzie which, if on your arrival in England you find that he is still in Britain, you will send it to him. If he has left it, you will give the letter to Major Arbuthnot or Major Ridewood, and tell them it is my wish that they should open it and follow the directions it contains. I have written that

[1] Sir John Moore Memorial Library, Shorncliffe.

you had got leave to return home and would decide soon after your arrival either to return to the Regiment or to quit by retiring on half-pay or resigning your Company.

I have stated that your object was half-pay, and if that would be procured you would previously exchange with whatever Captain was pointed out. (I have mentioned the Captain I should prefer), but if half-pay was not to be procured, you would give in your resignation, in which case I have decided that Lt. Chalmers may be recommended as your successor. I have written also to Lieut.-Colonel Gordon to explain the subject sufficiently, that no difficulty may be thrown in the way of your retiring in whatever way Colonel Mackenzie, as Commanding the Regiment in Britain recommends. You will of course feel the necessity of making your decision with as little delay as you can.

I cannot help expressing my regret at losing you. Since it must be so, you have my best wishes for your happiness in whatever line you pursue.

Believe me always yours very faithfully and sincerely,

John Moore.

Mackenzie, it seems, had other ideas about the disposal of Robert Rowan's company, but what he did in this connection is not explained otherwise than by the reference to his nephew in Moore's second letter:

Messina, 19th September, 1807.

My dear Rowan,

I received your letter of the 2nd of July a few days ago.

This conduct of Colonel Mackenzie surprises and hurts me much. I cannot account for it, it differs from everything I knew of him. I never thought his affection for his nephew would have led him to being unjust. I wish you had not been so hasty in giving your resignation, for as I explained my wishes to both Major Ridewood and Lord Arbuthnot, and I think also to Colonel Gordon and to Lord Tweeddale's friends, you might have got leave to exchange on half-pay, independent of Colonel Mackenzie, or at least the business might have been postponed until I was written to. My brother at the War Office might have assisted with this in my absence. I shall still write to Colonel Gordon not to dispose of your resignation, tho' I fear, if you have given it in, it will be too late.

I have written to Col. Mackenzie, and have enclosed your letter to him. I hope he will be able to account satisfactorily for what he has done. I do not like to think unfavourably of those I have loved.

My wish certainly was to serve and oblige you as far as I could, consistently with the good of the Service. You deserved this from the love your brother officers have for you, and your good and honourable conduct whilst in the Regiment. Your brothers are well.

Believe me always, My Dear Rowan, very faithfully,

Yours,

John Moore.

Moore's high opinion of Mackenzie is deserved. Much of

the detail of the military drill-and-exercises part of the training of the 52nd originated with him. The moral discipline and spirit of the training are unquestionably Moore's contribution. This truth emerges from Mackenzie's view of Moore and the 52nd which he expressed in a letter to Major-General Thomas Graham written five months after Moore's death.[1]

1st June, 1809.

My dear General,

. . . I have little hope of being employed in the command of a Brigade on service, particularly a Light one, which would be much more desirable to me than any other. They are forming some new ones at present, and from what I can learn the officers that command them are not doing them much justice. What little was done in the 52nd was put down to Sir John Moore's credit, and of course without him I would be thought of little use in the discipline of a Light corps.

When I got my fall, the Regiment had about finished the rudiments of what I thought a licht [*sic*] Regiment should be taught. I was certain the officers in command of this battalion from want of experience were not capable of carrying on this instruction as applicable to service, and Sir John was otherwise occupied, by which means the 52nd did not get on with this one, and have now forgot the first principles. I could not have believed that they would have fallen so soon to pieces, but the men of the 1st battalion were so well grounded in their marching that it was habitual to them, and they have it for life. It would take much trouble to break them of it.

Sir John latterly, when I was with the Regiment was convinced that the system was a good one, but he gave strong opposition to the most material points of it for some time during the instruction, and I believe thought little about it after I left the Regiment.

What do you think of your friends the Austrians? The fate of Spain and Portugal will be decided, I suspect, in Germany, we are sending our troops to the wrong point. Thirty or forty thousand British Infantry with ten thousand calvary would be of great use to the Archduke at present. What a pompous account Sir Ar. W. has given of an attack on Soult's rear-guard. . . .

Ever affectionately yours,

K. Mackenzie.

This letter reveals, in almost every line, the limitations of its writer's mind. The fact that the Light Infantry training of the 52nd, the 43rd and the 95th at Shorncliffe was neither abandoned nor forgotten is proved by the exploits of the famous Light Brigade and Light Division under Craufurd and others,

[1] National Library of Scotland, 3605, f. 135.

under Wellington's command in the Peninsular War, after these three regiments had been at last brigaded again together in 1809. In this connection it is now possible to correct an error regarding the later history of Moore's training into which most military historians have unwittingly fallen. It was only the *Military Training* part of his scheme that was accepted and retained, and it was this alone that brought his regiments fame. His *Moral Training* was completely abandoned by later leaders, and especially by Craufurd, who deliberately substituted for it, as will be seen in later pages, a form of discipline which it had been Moore's chief object to destroy.

Mackenzie returned to duty in 1811, with the rank of major-general,[1] and was given command, with headquarters in Kent, of all Light Infantry troops being trained in England. His achievements in this appointment do not seem to have included the preservation of Moore's *Moral Training* ideas. They survived nevertheless, but only in the minds and memories of young officers whom Moore inspired.

[1] He later became Lieutenant-General Sir Kenneth Mackenzie Douglas (1754–1833). He was Governor of Antwerp during the Waterloo campaign.

CHAPTER IV

SIR JOHN MOORE'S LAST CAMPAIGN

THE Sicilian expedition of 1806 was dispatched by the Fox-Grenville Ministry, in which Charles James Fox was Foreign Secretary. Their objects were to support the King and Queen of Naples, who had taken refuge in Palermo after being driven from their domains on the peninsula by Napoleon; to defend Sicily for them against possible French invasion; and to assist them, if possible, in counter-action against the French in Italy. Major-General Fox was elderly, good-natured and weak. The appointment of Moore as his second-in-command and adviser was made by Charles James Fox, who died in 1806. The Tory Ministry of Lord Portland followed this event, and included George Canning as Foreign Secretary, and Castlereagh as Secretary for War and the Colonies.

Moore's whole career as a soldier showed an unblemished record. He had distinguished himself in every battle in which he had taken part, and had been wounded in most of them, twice very severely. Among soldiers his reputation was high, and the esteem in which he was held by George III was becoming increasingly secure. But he was almost wholly lacking in social influence and had very little in political circles. Unknown to him, a hostile faction in diplomatic circles was gradually acquiring power against him.

In Corsica in 1794–5 Moore's inability to suffer fools gladly had led him into an active cold war with Sir Gilbert Elliott in the matter of the latter's support of Pozzo di Borgo against Paoli. Elliot's complaints against Moore and misrepresentations of his activities, although refuted, had caused to be registered at the Foreign Office something in the nature of a permanent bad mark against the young colonel who had opposed and annoyed him. In the West Indies, under Abercromby, Moore's criticisms of the inhumanity of slave-owners, and other outspoken pronouncements on the colour question

and the right even of rebel slaves to receive justice were not forgotten. Events in Sicily revealed still more strongly his inability to tolerate injustice, incompetence and folly when he found himself hindered by them in the course of carrying out the duties which were expected of him.

With General Fox and his family Moore was very soon on terms of intimate friendship, and his only trouble in this direction was his senior's disinclination and inability to report to Ministers at home, with the clarity and emphasis necessary, the evils which Moore exposed to him. The Court of Naples was at Palermo. It was controlled by a foolish Queen and saturated with French influence and intrigue. The British diplomatic representative was William Drummond, whose fatuous admiration of himself blinded him to the fact that he was as much the tool of the Queen as she was the tool of the French. He was blind also to an even more sinister evil, which was the folly and the egotistical intrigues of the naval captain, Sir Sydney Smith. Moore severely criticized both Drummond and Smith in conversation with them and in despatches to the Government when, after the retirement of General Fox in 1807, he succeeded as Commander-in-Chief of the British Forces in the Mediterranean. Soon afterwards, Napoleon's victories in Italy brought Ministers at home to the conclusion that all hopes of successful action against the French in that quarter were futile. Moore was ordered to leave Sicily with a force of seven thousand men, and to sail to Gibraltar and await orders there. The 52nd again accompanied him.

No orders came to Moore at Gibraltar. After waiting some time and hearing nothing of the Government's intentions, he went home alone. Castlereagh appeared to be friendly, and it is probable that he had not yet been turned against Moore by the latter's enemies at the Foreign Office, who on the basis of Drummond's complaints against Moore had secured the full sympathy of Canning. In April 1808 Castlereagh gave Moore command of an absurdly planned expedition of ten thousand troops, arranged for the purpose of going to the aid of the King of Sweden, who was notoriously of unsound mind. On its arrival the King refused Moore permission to disembark his troops, except on the condition that they were to be wholly under royal command, and were to be dispersed in various directions. On

Moore's refusal to accept these demands, the King put him under arrest and forbade him to leave Stockholm. He escaped in disguise, and the troops, with the fleet which accompanied them, returned to England. On his arrival he was not left long in doubt that he was faced with the active hostility, not only of Canning but also of Castlereagh and the whole Cabinet.

The plot that was laid against him was a peculiarly unpleasant one. He heard about it at the Horse Guards from the Duke of York, and from Colonel Gordon, his Military Secretary. The Duke expressed strong indignation when Moore told him that the information was all new to him, and that Castlereagh, in the course of a casually conducted conversation on the subject of Sweden, had made no mention of ministerial intentions. What had been arranged was an expedition to the coast of Portugal under Sir Hew Dalrymple, with Sir Harry Burrard as second-in-command. Both these officers were lieutenant-generals, and senior to Moore, but neither had a fraction of Moore's experience in the field or could be compared with him in reputation for military leadership. Moore was to have a small command under them. A fourth and very junior lieutenant-general, Sir Arthur Wellesley, who had recently returned from India with some military fame and a knighthood, was sailing independently, in advance of the expedition, with troops from Cork.

Moore was told nothing about these plans until in the course of a second interview Castlereagh announced them casually, together with Moore's intended small part in them, rather overdoing the pretence that to him it was a matter of slight importance. Moore sensed at once the intention to make him refuse his appointment, and the ministerial desire that he should do so. He was in any sphere or circumstances a difficult man to defeat. He told Castlereagh he would proceed at once to Portsmouth and take the place in the expedition that had been allotted to him. He said, 'I think it right to express to you my feeling of the unhandsome treatment I have received from you. Had I been an ensign, it would hardly have been possible to treat me with less ceremony. . . . You have told me that my conduct in Sweden is approved, but from your actions I should have concluded it was the reverse. . . . Why I should

be the object of such obloquy I cannot guess, but, my Lord, I have been treated unworthily, and in a manner which no part of my conduct could justify. His Majesty's Ministers have a right to employ what officers they please, and had they on this occasion given the command to the youngest General in the army, I should neither have felt nor expressed the feeling that the least injury was done to me, but I have a right, in common with all officers who have served zealously and well, to expect to be treated with attention. . . .'[1]

There is no question that Moore's remarks, and probably his manner while making them, enraged Castlereagh and also the majority of the members of the Cabinet when he reported to them. After discussion they decided hopefully that Moore had given them a clear opportunity of getting rid of him, and Castlereagh was empowered to send him a letter couched in terms which could be relied upon to secure his resignation. It was found that Moore's generalship was of a kind as undefeatable in a battle with Cabinet Ministers as in one with his country's enemies. Castlereagh wrote[2]:

St. James' Square,
22nd July, 1808.

Sir,

I think it right that you should not leave England without hearing from me that I have communicated to the King's Ministers (as I felt it my duty, and conceived it to be your purpose that I should do), the complaint which you made to me in our last interview of 'unhandsome and unworthy treatment' received by you on the part of the King's Government, and on mine, in the mode of putting their measures into effect.

At the same time that this complaint is felt by them, as it is by me, to be unfounded, I have to assure you that had not the arrangements of the army been so far advanced as that they could not be undone without considerable detriment to His Majesty's service, there would have been every disposition on their part humbly to have advised His Majesty to relieve you from a situation in which you appeared to consider yourself to have been placed without a due attention to your feelings as an officer.

I am further to add that it is thought proper that His Majesty should be appraised of the complaint which you have made together with the sentiments of His Majesty's confidential servants thereupon.

I have the honour to be, your most obedient humble servant,

Castlereagh.

[1] *Diary of Sir John Moore*, vol. II, pp. 242, 243.
[2] *Ibid.*, vol. II, p. 251.

Moore replied[1]:

Portsmouth, 23rd July, 1808.

My Lord,

I am this instant honoured with your Lordship's letter, by messenger, of yesterday's date. As I have already had the honour to express my sentiments to your Lordship fully at my last interview, it is, I think, unnecessary to trouble you with a repetition of them now.

I am about to proceed on the service on which I have been ordered, and it shall be my endeavour to acquit myself with the same zeal by which I have ever been actuated when employed in the service of my country.

The communication which it has been thought proper to make to His Majesty, cannot fail to give me pleasure. I have the most perfect reliance on His Majesty's justice, and shall never feel greater security than when my conduct, my character, and my honour are under His Majesty's protection.

I have the honour to be,

John Moore.

Moore noted in his diary that he had sent copies of this letter to the Duke of York and Colonel Gordon, 'together with a narrative of everything that has passed since my return to England', and he added, 'I am in hopes now to be allowed quietly on the service on which I am ordered, without further molestation.'

What happened almost immediately on the coast of Portugal is an amusing story when regarded from the angle of the discomfiture it caused the Government. Sir Arthur Wellesley was the first of the four lieutenant-generals to arrive. Having instructions to strike an immediate blow at the enemy if he saw the possibility of doing so, he disembarked the troops from Cork at the mouth of the Mondego, on 1st August 1808. Junot, the French general in command, sent two forces against him. Wellesley cut between them. Junot then took the field himself, with all his reserves, and Wellesley advanced and defeated him at Roliça. As the victor was about to pursue the retreating French, Sir Harry Burrard arrived and ordered him to desist, and Wellesley's plea that the French would rally and attack him fell on deaf ears. Junot attacked him at Vimiero, at ten o'clock on the following morning, and was routed, and again Burrard forbade Wellesley to pursue.

At this moment Sir Hew Dalrymple arrived, making the third

[1] *Diary of Sir John Moore*, vol. II, p. 252.

change in English command in twenty-four hours. He favoured pursuit, and while the three generals were arguing they were interrupted by the unexpected arrival of a messenger from Junot, General Kellerman, with an offer of capitulation. Quickly and acutely sensing weakness in the British High Command, Kellerman made his offer the basis of clever bargaining and led Dalrymple and Burrard to agree to the transference, in British ships, of all Junot's troops to France, where they were to be set at liberty. The treaty which was the result of this so-called Convention of Cintra was signed by Dalrymple and Burrard, and also by Wellesley, who said that he did so under protest.

When the news of the Convention reached London it roused a wave of popular fury which shook the Cabinet. Dalrymple was recalled. Burrard resigned temporarily, on grounds of ill health, and Wellesley begged and was allowed leave to return to his post as Chief Secretary for Ireland. All three were made the subject of a Board of Enquiry, which in course of time exonerated them. Moore found himself unexpectedly in command of the troops in Portugal. His natural misgivings about what was going to happen to him were suddenly relieved by a despatch from Castlereagh dated 25th September[1]:

Sir,

His Majesty having determined to employ a corps of his troops, of not less than 30,000 infantry and 5,000 cavalry, in the North of Spain, to co-operate with the Spanish armies in the expulsion of the French from that Kingdom, has been graciously pleased to entrust to you the Command in Chief of this Force.

Castlereagh gave no indication of the causes of what appeared to be a complete change of view on the part of the Cabinet, but it is to his credit that he enclosed a private letter in which he assured Moore of his personal assistance and begged him to write confidentially and privately on all subjects connected with his command. Moore's immediate reaction was to write in his diary[2]: 'There has been no such command since Marlborough for a British officer. How they came to pitch on me I cannot say, for they have given sufficient proof of not being partial to me.' Of Castlereagh's private letter Moore wrote: 'I have answered in the same strain of civility, and mean to write to him as

[1] *Sir John Moore*, by Carola Oman, p. 518.
[2] *Diary of Sir John Moore*, vol. II, pp. 272-3.

cordially as if nothing had before passed to prevent it. This the good of the service requires, and I think of nothing else. As for his support, I shall have it if I am successful, and if I am not, that alone will vex me so much that the displeasure of a Minister more or less will be of little importance to me.'

It seems incredible that Napoleon's sudden invasion of Spain should have created among all classes in England an enthusiastically held and lasting myth that he was being resisted by a loyal, united, patriotic and desperate population who were withholding no sacrifice in their efforts, against fearful odds, to preserve their national freedom. It is true that the people of Spain, and especially the peasantry, were solidly united in spirit and will to fight the French, but this fact by itself should not have obscured from the British Government the complete picture of what was happening in the country. Its people were being misgoverned by a number of provincial juntas, composed mostly of corrupt individuals, at enmity with one another and with the members of other juntas, and united in little else than in false pride, in foolish sense of independence and, too often, in making use of the opportunity of benefiting personally from England's eagerness to provide them with what they demanded from her. The Tory Cabinet, which was not less deceived than the Whig opposition and the Press and people of England, welcomed the opportunity of indulging in action which was almost unanimously approved, and poured money and supplies into Spain, but with no understanding of the confusion there, or of the nature, powerlessness and dishonesty of the individuals into whose hands this practical assistance was being allowed to fall.

British Ministers were similarly deceived about the military powers of Spain. A handful of Spanish generals were frustrating each other and being frustrated by the juntas. No general was in supreme command. Jealousy and corruption were preventing the appointment of either civil or military authorities of any kind who had effective ability and power. Supplies and money received from England remained in the hands of individual members of the juntas and large quantities disappeared. The incompetence of John Hookam Frere, the British diplomatic envoy-plenipotentiary, provides some excuse for the blindness

of Ministers in London, together with the support given to his foolishly optimistic reports by those of some of the military agents whom the Government sent out to make contact with Spanish guards and local authorities. A minority of these agents gave the true facts of the situation in Spain, and were disbelieved. Frere and most of the military agents were successfully bluffed by false figures of military strength, by false reports of popular unity and organization of resistance to the French, and by even falser reports regarding the ability of the Spaniards to expel the French without the aid of British troops, if given a further large increase in financial and material help.

When the Cabinet decided to launch Sir John Moore into Spain from Portugal, with what was at first, on paper, an army of approximately 40,000 men, the plan received almost unanimous public support. Moore's instructions were to advance into Spain, contact the Spanish armies and the non-existent general who was in supreme command, support them with any action which he might find suitable, and discover for the Cabinet the exact details of military and civil organization throughout the country. He was given the option of marching direct into Spain from Portugal; or of re-embarking his troops, landing at Corunna and advancing from there. Later the British Government emphasized emphatically to the Spaniards that what had been sent to them was not 'an English army', but 'the whole army of England and the only one she had'.

Moore chose to march the troops who were with him direct into Spain, in order to get them out of Portugal before the coming of the rains, which were due. He left Lisbon on 27th October 1808. Both he and Ministers at home believed, from the false reports of gulled agents, that there were three effectively organized Spanish armies in strong positions between him and the French armies where these could be met and possibly destroyed. He decided to march to the neighbourhood of Salamanca and concentrate and equip his main force there; therefore he gave orders to join him at Salamanca to Sir John Hope, who marched his column by a southern route from Badajoz, and to Sir David Baird, who was to land at Corunna with 10,000 troops from England.

Moore at once found himself in a maze of difficulties. He was very soon able to report to Castlereagh that Spain was

'without armies, generals or a government', and that there was no civil or military authority with effective power of any kind with whom he could deal. News came of the total routing, successively, of the Spanish armies, of the fall of Madrid, and of the presence in Spain of 300,000 French troops. Sir David Baird was refused permission by the local junta to land at Corunna, and when this obstacle was at last removed he was unable to march because the junta would not supply him with transport. He secured it, eventually, by using the money he had been given to convey to Moore for procuring food and other supplies for the whole army.

Moore's first reaction was to decide on a retreat into Portugal. He stopped Baird's advance and planned his return to Corunna with a view to his coming to Portugal by sea. Frere bombarded Moore rudely, not only with dangerous advice but also with insinuations that, as he was envoy-plenipotentiary, Moore was subject to his orders. He demanded that Moore should advance on Madrid, with the object of supporting non-existent Spanish armies, and on one occasion, after Moore's refusal to do so, ordered him to submit the demand to a Council of his senior officers. Moore's sole object was to delay necessary retreat as long as possible in the hope that some last-minute opportunity of helping the Spaniards might occur, and he was well aware of the grave risk he ran in waiting until there was, in his own words, nothing left for him to do but 'cut and run for it'.

Suddenly a French despatch which had been taken from a murdered messenger was put into his hands. It was from Berthier, Napoleon's Chief-of-Staff, to Soult. It gave Moore full and detailed information regarding the numbers and dispositions of the French troops in Spain and revealed the fact that Soult, with 20,000 men, was comparatively isolated near Sahagun. Soult was informed in the despatch that there were no English in front of him, because all were in full retreat. Moore promptly decided, to the delight of his army, to march against him at once, not only in order to attack him but also, by doing so, to give the appearance of threatening Napoleon's whole line of communications with France, on which he was dependent. On the eve of his attack Moore received information that Soult had been reinforced, that all the French troops in Spain were moving against the British army, and that a force of

90,000 men which was advancing by forced marches under the personal command of Napoleon was near at hand. The moment of Moore's intended beginning of an attack on Soult became indisputably the moment to 'cut and run'. It is doubtful if a more brilliant and daring move than Moore's advance against Soult, or one with such stupendous effect on an enemy, has ever been conceived and executed by a general in the whole course of British military history.

Napoleon had secured for himself the happy position of having successfully invaded Spain, captured Madrid, put his brother Joseph on the throne, and destroyed all organized military resistance. All that remained for him to do was to complete his conquest by overrunning the southern, and richest, provinces of Spain, and also Portugal, where the small British army which had come to its assistance could easily be destroyed or forced to re-embark. He had received without surprise news that the British army under Sir John Moore, having dared to enter Spain, was now in full retreat into Portugal. There was every prospect for Napoleon of a speedy and tidy conquest of the whole Iberian Peninsula in a manner which would add its entire territory to his dominions in a spectacular way and at comparatively little cost in men and money, enhance his reputation, and increase the fear of him which was a formidable element of his power.

News that the earlier information about Moore being in full retreat was untrue and that he was advancing may have surprised Napoleon, but it certainly delighted him. The exposed position of the British army offered him an immediate and unsuspected opportunity of winning a complete and dramatic victory and administering a shattering blow to British power and pride. With all the resources at his disposal he hurled himself at Moore, only to find suddenly that he had escaped the jaws of the trap prepared for him and with his army was safe in the mountain passes of Galicia on his way to troopships and the sea. The peculiar nature of Napoleon's genius enabled him to realize instantly that what was about to break on the world was the news, not of his achievement of yet another spectacular conquest, but of his having blundered and failed on account of being outwitted by a heavily outnumbered but clever enemy. He announced that the speed with which he hurried off to Paris

on receiving news of Moore's escape was made necessary by events elsewhere in Europe, but this excuse is not supported by existing records. What is known is that, Napoleon having left the organization and dispositions of his armies in Spain in a state of confusion which long remained unremedied, on account of jealousies among the French generals, an opportunity was given to the British Government to seize the chance of the open door of Lisbon, and to embark on measures which prevented for ever the conquest of Spain and Portugal by France and sapped her strength sufficiently to cause Napoleon's downfall. 'It was the Spanish ulcer that destroyed me,' he wrote, long afterwards, at St. Helena. It was the brilliant and lonely action of Sir John Moore in his conduct of his quick campaign of eleven weeks from Lisbon to Salamanca, from there to Sahagun, and to Corunna, in retreat, that created 'the Spanish ulcer', and made possible the later aggravation of it that was fatal to France.

On Napoleon's hurried departure from Spain Soult, heavily reinforced, was left with the task of pursuing Moore. Of the army of approximately 23,000 men which Moore led in snow-storms over the mountain passes of Galicia, the bulk was composed of raw and insufficiently trained soldiers, officered largely by incompetent officers who were incapable of maintaining discipline. The order to retreat was issued at a moment when all ranks were inspired with the happy belief that they were being led that day into full-scale aggressive action against the French. In the inescapable loneliness of individual high command, Moore was obliged to foster and refrain from checking this enthusiasm. He alone knew the true danger of the tactics which he was using, and that hurried retreat, with or without a blow at Soult, must become an inevitable consequence of his daring bluffing of the French. In the interests of safety he was unable to share his plans even with his closest friends among the officers of his staff.

The army began its retreat in a spirit of angry disappointment and frustration which was openly expressed by many of the officers and had widespread effect on other ranks. The hardships of severe weather and shortage of food and supplies due to an unavoidable shortage of transport led to the breaking of ranks on the march on a scale which on several occasions debased regiments, brigades and even divisions to the status of disorganized, rebellious rabbles of individuals of mixed units,

who responded to the efforts of any officers to restore order by threatening their lives and sometimes firing on them. Where prepared stores of food and wine existed and were found along the route they were looted, and to the hardships of weather, forced marching, exhaustion and loss of discipline was added widespread drunkenness.

Disaster on the march was avoided by Moore's choice, and handling, of the regiments of his reserve, which acted as his rearguard. These consisted of the 1st battalion of the 52nd, five companies of the 95th, two squadrons of the 18th Light Dragoons, two light regiments of German Lancers and a brigade of artillery, under the command of Major-General the Hon. Edward Paget,[1] whom Moore accompanied and with whom he rode during most of the retreat. Soult was pursuing and pressing with 90,000 men, and there were no positions on the route which could be held for any length of time without being easily out-flanked. Sustained and brilliant action by the Reserve saved Moore's army. The cavalry distinguished themselves by frequent and successful delaying charges, and the infantry, officers and men who had been trained personally by Moore at Shorncliffe, held off again and again, in his presence, the pressure of French advances. At the same time they were exhaustively engaged in rounding up, pushing on and, as has been recorded, 'kicking along' stragglers and drunkards from the disintegrated regiments of the main body. In contrast with the conduct of many other regiments during the retreat, that of the 52nd and the 95th was outstanding.

Immediate improvement of discipline and order quickly followed the arrival of the straggling army at Corunna, helped by the presence of large quantities of arms and stores, originally furnished by England to the Spaniards and left lying by them, unused, at the post of entry. Moore was able to re-equip his army with new muskets, dry powder and ammunition. To the many difficulties, disappointments and frustrations which he had encountered was added the sight of the harbour at Corunna, empty of ships; the transports which he had asked to be sent to meet him there had not arrived. He was obliged to turn and give battle to the pressing enemy, and as Corunna had no positions which could not be easily out-flanked, he decided not

[1] *Letters of Sir George Murray*, vol. XXII, p. 200. National Library of Scotland.

to defend himself but to attack. When this intention became known, it had a magical effect in restoring discipline and morale.

The Battle of Corunna was entirely creditable to all who took part in it. A French attempt to turn what Moore had cleverly made a false flank completely failed. Soult suffered a rout towards a river which was impassable, except by a single bridge, together with the prospect of complete defeat and the loss of all his guns. He was saved by the cannonball which flung Moore from his horse, shattering his shoulder and his chest. Sir John Hope took command and, wisely or unwisely, stopped the battle.[1] Then he began, unmolested, to embark the troops on the transports which had at last arrived.

To realize fully the drama and pathos of Moore's death and burial at Corunna, they must be seen in a setting wider than the one to which the record is customarily confined. Charles Napier gives a vivid picture of Moore in action in the battle[2]:

> He came at speed, and pulled up so sharp and close he seemed to have alighted from the air, man and horse looking at the approaching foe with an intenseness that seemed to concentrate all feeling in their eyes. The sudden stop of the animal, a cream-coloured one, with black tail, and mane, had cast the latter streaming forward, its ears were pushed out like horns, while its eyes flashed fire, and it snorted loudly with expanded nostrils, expressing terror, astonishment, and muscular exertion. My first thought was, it will be away like the wind, but then I looked at the rider and the horse was forgotten. Thrown on its haunches, the animal came, sliding and dashing the dirt up with its forefeet, thus bending the General forward almost to its neck; but his head was thrown back and his look more keenly piercing than I ever before saw it. He glanced to the right and left, and then fixed his eye intently on the enemy's advancing column, at the same time grasping the reins with both his hands, and pressing the horse firmly with his knees. His body thus seemed to deal with the animal, while his mind was intent on the enemy, and his aspect was one of searching intentness beyond the power of words to describe. For a while he looked, and then galloped to the left without uttering a word.

Soon afterwards, while watching the battle, with members of

[1] Hope has been excused for breaking off the battle on the grounds that he had no knowledge of Moore's plan of it. This seems to imply a criticism of Moore. For a commander to confide his battle plan to the officer who would succeed him in the event of his becoming a casualty was not customary at this period. Wellington firmly refused to do this at Waterloo.

[2] From *Life of Sir Charles Napier*, by Sir William Napier, vol. I, pp. 94–6.

his staff behind him and speaking to one of his aides-de-camp, Captain Hardinge, with their horses touching, Moore was struck by a cannonball which flung him to the ground with his left shoulder shattered, his arm severed and hanging by a piece of skin, his ribs broken and bared of flesh, and the muscles of his breast torn into strips. 'His look was simply one of surprise. . . . [He] sat up with an unaltered countenance, looking intently at the Highlanders who were warmly engaged. Hardinge, who had thrown himself from his horse and taken his hand, assured him that the 42nd were advancing, and the General's features lit up.'[1] A surgeon came and Moore told him, 'My good man, you can do me no good; it is too high up.' He was moved on to a blanket by six men of the 42nd and Guards. The hilt of his sword pressed on his open wound, and Hardinge stooped to unbuckle his belt. Moore said, quietly, 'It is as well as it is. I had rather it should go out of the field with me.' Misled by Moore's calmness and clearness of mind, Hardinge suggested to him that his wound was not fatal and that he would recover when the surgeons had given him their full attention. Moore turned his head and examined his wound for a few seconds. 'No, Hardinge,' he said presently. 'I feel that is impossible. You need not go with me. Report to General Hope that I am wounded and carried to the rear.' The other members of his staff had already left on this and similar errands. Moore was left in the care of a Highland sergeant and the bearer-party, who carried him to the house he had occupied in Corunna. He made them turn him round frequently on this journey, so that he might see what he could of the battle.

It may be assumed that, so far, the severity of his wound and the intensity of shock which accompanied its infliction explain Moore's calmness and apparent painlessness. He was soon seen unmistakably to be suffering pain acutely, but with no change in his demeanour and conversation, although he twice showed deep emotion: once when he greeted his closest friend, Captain Anderson, and whispered to him as he held his hand, 'Anderson —don't leave me', and again, later, when an attempt to voice a farewell message to his mother was frustrated by an outburst of tears. He suffered severely while the surgeons examined him and found that they could do nothing for him, but he said

[1] *Sir John Moore*, by Carola Oman, pp. 595–601.

calmly to Anderson, 'You know I have always wished to die this way.' During his last hours members of his staff and other ranks came to see him and bid him farewell. He greeted each of them with the eager question, 'Are the French beaten?' He said once, 'I hope the people of England will be satisfied.' Latterly he seemed to have no words or thoughts for anyone but his friends, or on any subject other than that of the battle. Anderson knelt on one side of Moore's couch with an arm round him, supporting his head and shoulders. On the other side, facing Anderson, a clergyman knelt, praying audibly. Moore did not seem to hear him or to be aware of his presence. He lay silent for some time and then suddenly interrupted him. 'Hope! Hope!' he said in reference to the general who had succeeded him. 'I have much to say, but cannot get it out. Are Colonel Graham and all my aides-de-camp well?' Colborne, his Military Secretary, came in. 'Are the French beat?' Moore asked again. Two other members of his staff arrived, Captains Harry Percy and James Stanhope. He gave them kindly greetings and asked eagerly for news of others. The last to come were Graham and Paget but he was unable to recognize them. After a long silence he murmured the few words which were his last, and were obviously addressed to James Stanhope, 'Remember me to your sister'.

Moore's strange and outstanding personality has consistently baffled all his many admirers of contemporary and later times who have attempted to analyse and depict it. George Napier, who was one of Moore's aides-de-camp[1] in the Spanish campaign, records him as having said of the empty harbour which he saw on his arrival at Corrunna: 'I have often been thought an unlucky man by my friends in consequence of being generally wounded in action, and some other events of my life, but I never thought so myself, till now; and if the transports do not arrive this day, I shall certainly be convinced I am an unlucky fellow, and that fate has so decreed.'

Besides contracting yellow fever twice in the West Indies and nearly dying of it, Moore was wounded in battle on four

[1] According to family tradition, Charles Rowan was also one of Moore's aides in the Corunna campaign but I have been unable to find recorded confirmation of this. Charles Rowan served throughout the campaign, apparently, in command of his company of the 52nd.

occasions; once he was believed to be dead and left on the field.[1] Throughout his service, both in the field and in diplomacy, he seems to have been consistently beset by unexpected difficulties and obstacles, which he with equal consistency mastered and overcame. Moore was pursued throughout his years of service by what is called, blindly and unhelpfully, bad luck, and he was only forty-eight when his life was suddenly ended by the cannon-ball at Corunna. These facts make his career one of striking interest in contrast with that of Wellington, who, more almost than any other famous man, experienced and enjoyed and was saved times without number by the mysterious and inexplicable support of what is blindly and unhelpfully called good luck.

Ample evidence has been recorded of the impressions made by the personality of Moore on the minds of a host of younger men who were his contemporaries. Many of these who became famous in their later years eagerly attributed their success to the early training, influence and inspiration which they received in their contacts with Moore, and what is most striking in their references to him is the deep emotion which seems to underlie all their thoughts of him, giving a sense of their having sought in vain for adequate expression of their feelings. To the examples given in earlier pages two others can be added. In his *Life* of his brother Charles, William Napier wrote of Moore:

> His was the fire that warmed the coldest nature. . . . No man with a spark of enthusiasm could resist the influence of Moore's great aspirings, his fine presence, his ardent, penetrating genius.

Sir Henry Bunbury wrote of him[2]:

> Every quality in Moore was real, solid and unbending. He was a man to whom every officer and soldier looked up with an entire confidence. I knew him well, and loved him, and he was always kind to me. His figure, the expression of his countenance, are now before me, and the tones of his voice seem to play upon my ear.
>
> Sir John Moore was a man on whom nature had set her favouring signet. In person above the middle height, broad-shouldered and muscular, yet formed and agile. His features fine, and his keen, penetrating eye seemed to look through one's brain. The lay of his countenance was

[1] During the Helder expedition Moore was found by two privates of the Gordons, who revived him and carried him in, thereby saving his life. Prolonged efforts by Moore to find and reward his rescuers failed. They were believed to have both been killed on the following day.

[2] *Memoirs and Literary Remains of Lieutenant-General Sir Henry Edward Bunbury*, p. 33.

very remarkable, expressing alike, and without effort, the open, familiar, and bantering humour with which he greeted those he esteemed, and the chilling contempt or the frown of darkness with which he visited the objects of his dislike. He was thoroughly honourable, just and generous; far above all sordid motives, and hardly to be swayed by any passion from what he felt to be his duty.

Moore certainly presents us with a thought-provoking blend of the highest attributes of strength and manliness and those of gentleness and warmth of heart. The frequent use of the word 'love' in his references to other men, and in the references of other men to him, is in striking contrast with what seems to be its total absence from all the records of Wellington, and from all the praise and admiration that have been bestowed on him; and yet, being more essentially human, he is, paradoxically, in a final judgment perhaps the more lovable of the two. In very curious conjunction with all the fine qualities of Moore, and most strikingly in all that is recorded of his dying hours, is his seeming lack of any sense or active consciousness of religion, of God, or of a hereafter, the strong awareness of which is an outstanding feature of the after-lives of so many of the young men whom he influenced and inspired.

Moore gives the impression of having canalized, in a dominating, absorbing, and almost enslaving passion for soldiering and battles, the life-force and primary instincts for which other men of his kind find gentler means of outlet. In his schooling of himself for service to this passion he seems to have eliminated both the base and the higher, primary instincts, achieving almost perfect independence of religion, of the need for marriage,[1] and of much of the customary sense of values, both worthy and unworthy, which is common to other men. The whole story of

[1] Moore once confided to his aide-de-camp and most intimate friend, Anderson, that he had contemplated offering marriage, when in Sicily, to the younger daughter of General Fox, Caroline, who later became the wife of William Napier. Her elder sister, Louise, married Sir Henry Bunbury. Caroline was seventeen, twenty-eight years younger than Moore. He said of her (*Diary of Sir John Moore*, vol. II, p. 111): 'She is so young that her judgment may be overpowered . . . my high position here, my reputation as a soldier of service, and my intimacy with her father may influence her to an irretrievable error for her own future contentment: my present feelings must, therefore, be suppressed, that she may not have to suppress herself hereafter with loss of happiness.' The only other lady with whom Moore's name has been linked was Pitt's niece, Lady Hester Stanhope, but there is no evidence of any kind to suggest that Moore found her attractive otherwise than in lively and intelligent conversation and amusing eccentricity of manner.

his life is an unblemished record, but was there some childishness and weakness in the intensity of his passion for war and battles? Was it this that the kindly, shrewd and generous-minded old soldier Abercromby sensed in the Egyptian campaign of 1801 and expressed to Kempt, his aide-de-camp? Almost forty years later, on 4th August 1839, the Marquis of Dalhousie made this curious entry in his diary:

> Sir James Kempt mentioned that one day he was sitting in his cabin with Sir Ralph Abercromby. Sir Ralph had been thinking for a long time and at last he began talking to himself, 'Moore—a good officer—too fond of detail—has many eminent qualities but (after a pause), there's a littleness about him.' Then another pause, 'Hope, Hope, *he* has every quality to make an admirable soldier.'

For many years after Moore's death, that strange continuance of misfortune which is called bad luck transferred its influence to his reputation. The news of victory at Corunna was at first received in England with enthusiasm. Very soon doubt tempered and changed popular outlook as the result of lying Spanish propaganda and the fact that a storm had scattered the Corunna transports and obliged the troops they contained to land in scattered parties at almost every harbour on the southern coast of England. A large proportion of these troops were of the kind who had created chaos during the retreat. They arrived dirty and dishevelled, with tales of woe and suffering which spread alarm among the inhabitants of the southern counties and were collected and reported by provincial newspapers. The London Press soon followed suit, and the Whigs, with a wave of popular unrest behind them, fiercely attacked the Tory Cabinet, which ran weakly before the storm.

The myth of the gallant, united, patriotic and suffering Spanish people was long in dying. Moore was widely believed to have been an incompetent and unsuccessful general who had refused the advice and pleas of the gallant Spaniards and, instead of supporting them, had deserted them and brought to naught their efforts, as well as those of England, to save their country from Napoleon. To support this view, which was being voiced even by the Tory Press, offered the Canning faction in the Cabinet and in Parliament an easy way of sheltering from the storm. Canning, after praising Moore enthusiastically in the Commons, is reported as having proposed to Castlereagh the

saving of Cabinet prestige by the public denouncement of Moore. There are grounds for believing that this infamous suggestion and Castlereagh's indignant rejection of it helped to originate the duel between the two Ministers.

Intellectual and literary circles joined presently in the attack on Moore, with Sir Walter Scott and Southey in the forefront. In 1817 the publication of the famous poem by the Rev. Charles Wolfe had little more effect than to rouse pity for Moore as a pathetic failure. It was not until 1828 that all criticism was effectively silenced by the complete, detailed and unanswerable vindication of him which was published by Sir William Napier in the first volume of his *History of the War in the Peninsula.*

CHAPTER V

WELLINGTON

ONE of the many puzzling features of what is vaguely called 'personality' is its unmistakable possession by some almost from birth, while in others it is either absent or unrecognizable in early life. The child is by no means always 'father to the man'. Personality cannot be proved to be the product of heredity and environment, or to be controlled by them, because it can often be seen to master both and to be wholly independent of them. Moore's outstanding personality is visibly consistent in him from early childhood onwards. Of the equally forceful and outstanding but less finely-grained personality of Wellington there is little sign in existing records of his childhood and adolescence.

Arthur Wesley was the sixth son of an Irish peer, of little significance in history, who is generally believed to have obtained his earldom, in the absence of any other visible reason, solely on account of his musical gifts. He died leaving a wife and large family in embarrassing financial circumstances, and was succeeded by his eldest son Richard, a clever and attractive young man of twenty-two, whose school record and unmistakable accomplishments were correctly regarded by all who knew him as destining him for a distinguished political career. He soon embarked successfully on this, combining it with a close, benevolent but autocratic control of family affairs. He was eight years older than his brother Arthur, and for some time seems to have shared an opinion, attributed to his mother, that Arthur was 'the fool of the family'. There appeared to be some justification for this. Arthur was uncouth, shy, awkward and stubborn, backward at lessons and seemingly unresponsive to every effort exerted by his mother and eldest brother to polish, enliven and otherwise improve him. What they said about him has been recorded and repeated times without number. 'I'll tell ye a thing,' the young Earl of Mornington

once remarked on catching sight of him, 'there goes my brother Arthur, the biggest ass in Europe.' His mother is reported as calling him her 'ugly boy', and as saying of him, 'I vow to God, I don't know what I shall do with my awkward son Arthur', adding that he was 'food for powder and nothing more', and fit only for the Army, which she called 'the fool's profession'.

During the father's lifetime the family had left Ireland and come to live in London, in Knightsbridge, for reasons of economy. Arthur attended Brown's Seminary in Chelsea. When his father died Richard was at Christ Church, Oxford. In spite of the financial problems which he inherited, one of his early arrangements after assuming control of family affairs was to send Arthur and another younger brother, Gerald, to Eton. Arthur remained there for two years, at the end of which his place as fifty-third in a class of seventy-nine, his continued shyness and awkwardness, his solitariness, his absence of interests apart from playing a violin to himself, and his marked inability or unwillingness to make friends, or to exert himself socially or otherwise, decided Richard that the Eton fees which he had to find on behalf of this backward brother were a drain on family expenses which it was reasonable to eliminate.

So far Arthur had shown no signs of a personality that offered any promise of interesting development. His mother took him to Brussels, having made an arrangement with a wealthy Yorkshire baronet to look after his son there, subject to substantial payment for board and care. For a year the two boys are recorded as learning French together and little else, but Arthur's continued devotion to his violin is mentioned. Then his mother returned to England, after sending him to a curious French Academy at Angers, where dancing lessons started at dawn, and were followed by others in riding and fencing, with some grammar and mathematics in the afternoon, and by dancing again to close the day's programme. Arthur at this Academy is described as being still lonely and lazy, interested mostly in playing with his dog, or dining at the houses of the local French gentry in a neighbourhood in which the sympathies of all classes were strongly royalist. There were other young Englishmen at Angers who formed a group known to their French schoolfellows as 'le groupe des lords', although few of them possessed titles. Arthur's year at Angers is treated by

his biographers as being scarcely worthy of mention, on account of the scanty records which have been preserved. It is clear nevertheless that it marks the beginning of a change in him which has remained unnoticed by his biographers, because it is immediately after his return to England that the first clear signs appear in him of a personality that was presently to startle the world. Unnoticed also has been the suddenness of the change, about this date, in his elder brother's regard for him.

In the political wake of Pitt, Richard was successfully acquiring both influence and wealth. He secured for Arthur an ensigncy in a regiment in India, an appointment as aide-de-camp at Dublin Castle, and, by a quick series of purchases in accordance with the custom of the times, a lieutenant-colonelcy and command of the 33rd Infantry in 1793 at the age of twenty-four, without Arthur's ever having been obliged at any time to become seriously involved in military duties. There are many records of this Dublin Castle period which show him to have been still socially dull, gauche and childish at times, and unpopular with girls on account of his childish pranks, but there are many records also of valuable service given to Richard, and of the head of the family's verbal and practical appreciation of this. Richard entrusted him with full care of the heavily mortgaged family estate in Ireland, and with its eventual sale, and secured his entry into the Irish House of Commons as member for Trim. This situation involved him in much exercise of diplomacy and tact in negotiation in the service of the Government, in corrupt payments and place-giving, and in complicated political duties at Dublin Castle, on behalf of both Richard and the Government. Of the brother whom he had formerly regarded as 'the fool of the family' and 'the biggest ass in Europe' Richard wrote at this time: 'By his excellent judgment, amiable manners, admirable temper and firmness, he has entirely restored the interest of my family.'

In spite of Richard's attentions and military purchases on his behalf, Arthur was never able while in Ireland to rid himself of debt. In 1793 he proposed to a pretty young Irish girl, Kitty Packenham, but absence of wealth on both sides brought frowns from their respective families. These facts decided Arthur to devote himself exclusively but temporarily to soldiering, as it seemed to be the only means by which he could improve his

financial prospects. He resigned his post as aide-de-camp and secured military service abroad. He soon forgot Kitty Packenham until he was reminded of her many years later, on being told by a friend of the lady that her feelings for him had never changed. He expressed surprise, and married her. By soldiering and campaigning he was always similarly unimpassioned, unlike Moore, to whom from childhood onwards they were the breath of life. The interesting fact has been recorded that before leaving Dublin for service in Flanders under the Duke of York, Lieutenant-Colonel Arthur Wesley of the 33rd Regiment of Foot burned the violin that had been his close companion since he was a boy, on the assumption that violin-playing was incompatible with the manliness necessary for a military career.

During the disastrous retreat from Flanders through Holland to the North German ports in 1795, the 33rd distinguished itself under the recognized, able command of its young Colonel, which brought him command of a brigade. Of his experience of the appalling incompetence of British staffwork and the tragic suffering it inflicted on the troops he recorded drily that he 'learnt what one ought not to do, and that is always something'. He returned to England with complete loss of interest in military life and campaigning. He determined to secure a political appointment, but Richard's party was out of office and the new Lieutenant-Governor at Dublin Castle, Lord Camden, was impervious to all reasoning based on past services and personal needs which the ex aide-de-camp laid before him. The 33rd was ordered to India, and its Colonel realized sadly that there was nothing left for him to do but return to his command and make India the scene of fresh endeavours.

At this period of Wellington's career, in 1796, two facts which have been recorded reveal suddenly and surprisingly the visible maturing of his personality. One is the remarkable collection of more than a hundred books on history, philosophy, law, politics and India[1] which at the age of twenty-seven the young man who had been removed from Eton on account of backwardness carried with him for reading and study on his six months' voyage to the East. The second is the impression he made on his arrival at Calcutta on the Governor-General, Sir

[1] Quoted in full in *The Duke*, by Philip Guedalla, p. 57.

John Shore, who remarked of him, 'If Colonel Wesley should ever have the opportunity of distinguishing himself, he will do it, and greatly.' He said also that he discovered in the young man 'a union of strong sense and boyish playfulness', a limited but correct summary of what can be discerned behind the mask of Wellington at any period of his later life. Wellington's biographers tend to pay less attention to his career in India than it seems to deserve. The more closely it is studied in conjunction with the record of his later campaigns the more clearly can it be seen to be a destined rehearsal of them, and the period when his baffling and astonishing personality was forged.

On arrival at Calcutta the 33rd remained for some time stationed there. Their Colonel joined vigorously in the exacting, convivial social life of the English community, at the same time exhibiting a flair for providing the highest civil and military authorities with written and spoken advice on various technical and other aspects of their responsibilities which, far from being resented as coming from a newcomer who was ignorant of Indian affairs, secured him immediate appreciation and a reputation as a valuable consultant. He provided plans for a proposed expedition to the Philippines which revealed wide knowledge of facts, ranging from weather conditions to details of the defences of Batavia. The 33rd accompanied the expedition, which sailed eventually but was soon recalled, on account of the advisability of keeping troops concentrated in the East, in view of Buonaparte's successes in Italy. On his return to Calcutta Colonel Wesley renewed with unabated pleasure his active participation in social life and also, his giving of advice to his seniors. Someone wrote an attack on the methods of the East India Company and the Government entitled *Remarks upon the Present State of the Husbandry and Commerce of Bengal.* Colonel Wesley replied with a detailed defence which displayed remarkable understanding of economics and what was called 'the sugar question', and of the need for giving tariff preference to West Indian produce.

In May 1798 the ambitious, politically successful Richard arrived in Calcutta as Governor-General, accompanied by a younger brother, Henry, in the rôle of Private Secretary. As a step towards his long-planned goal of an English marquisate, Richard had changed his name and secured an English peerage.

He was now Lord Wellesley. Henry had similarly changed his surname, and Colonel Arthur Wesley found it necessary to change his also. In view of the East India Company's strict regulations on the subject of patronage, Richard's arrival augured less well for Arthur than seemed apparent. What is impressive in the rapidly changing Arthur is that Richard at once relegated to him the unofficial and unpaid post of technical adviser on all military matters, and kept him fully employed and absorbed in writing memoranda on subjects such as supply, fortifications, Army grievances, defence of the North-West Frontier, organization of troop movements, and policy in Mysore where Tippoo was causing concern and giving grounds for offensive action on account of his noticeable partiality for the French. A sample of Arthur's advice to Richard is: 'It is impossible to carry on a war in India without bullocks. . . . Order that the Collectors of the different districts under the Company's Government should endeavour to ascertain the numbers of bullocks they have in their districts, and what number they could collect without doing much injury to the cultivation of the country.' Arthur's later military successes in India were largely due to his organization of supplies and transport, and the consequent speed of movement of troops, which had been unknown there in earlier warfare. Richard's reliance on him and his great change of opinion about him become amusing in the light of earlier pronouncements. The following remark is recorded as having been made by Richard at Calcutta[1]: 'Aye, Arthur is a much cleverer fellow than I am, you may depend on it.'

As part of the preparations for a possible action against Tippoo, the 33rd sailed for Madras. Richard regarded war as a necessity, in view of the menace of French designs, but he was warmly opposed by the Governor of Madras, Lord Clive, and by other lesser local officials. Richard fumed, and gave Arthur the private task of handling the situation. His skill, and the magnitude of the diplomatic gifts he revealed in smoothly removing all opposition in Madras, further increased his brother's respect for him. An interesting fact in this connection is that Arthur was not wholly in favour of war and was advising Richard to be cautious. Tippoo's behaviour soon negatived the need for

[1] O. Brett, *Wellington*, p. 13.

caution and an expedition was sent against him, organized largely by Arthur. In it he was given a command which included the 33rd, six battalions of the Company's sepoys, a Hyderabad infantry contingent of six battalions, a mixed force of 10,000 cavalry, mostly native, and twenty-six guns. The Commander-in-Chief, General Harris, wrote of the expedition: 'The judicious and masterly arrangements in respect to supplies . . . were no less creditable to Colonel Wellesley than advantageous to the public service, and deservedly entitle him to my thanks and approbation.'

A strange experience in this campaign reveals that Wellington's efficiency and fame were not acquired by unbroken progress along a perpetually smooth road of military and diplomatic success. Something went wrong with Colonel Wellesley one dark night during operations which had as their objective the clearing of the approaches to Seringapatam. He led a small column of men and entangled them in the darkness of a wood which he had not previously reconnoitred. They were fired on and lost formation in the ensuing confusion, and a number of them were killed. He was hit on the knee by a spent bullet and, astonishingly, abandoned his men. He arrived back alone at the mess at midnight, nerve-shattered and shaken, and flung himself face-downward across the mess table, where he presently fell asleep. By morning he had recovered. He returned to his command, collected his men, and re-attacked successfully.

At the subsequent siege of Seringapatam he was in reserve, while General Baird, the brave, capable but stubborn Scot who was later with Moore in the Corunna campaign, led the attack and had the satisfaction of storming and capturing a town in which he had been earlier imprisoned by Tippoo in a dungeon. Tippoo's dead body had been found and hostilities had ceased when an order came from General Harris appointing Colonel Wellesley to command of the town. Baird's protests were unavailing. He could not be relied upon for a skilful and tactful handling of Tippoo's household and subjects, and of a very delicate situation which involved also the disposal of immense treasure. His strong prejudice against the inhabitants of the town was well known. Richard in no way influenced the Commander-in-Chief's choice of Arthur for the command, which was solely the result of his obvious suitability.

His first task was to stop looting and to control both his troops and the population. Some aspects of the later Wellington are revealed in what he wrote about it: 'By the greatest exertion, by hanging, flogging, etc. etc., in the course of the day I restored order among the troops.' He soon gained the confidence of the people, and presently dictated to Richard measures for settling and disposing of Tippoo's territories. The success of the campaign brought honours and awards to Richard, but all of them lost their value in his eyes when he found that the hoped-for marquisate amongst them was Irish and not English. The childish disgust and despair to which he gave expression when he made this discovery contrast interestingly with his firm and generous-minded refusal to allow Arthur to repay him the large sums of money which he had advanced for the purchase of his brother's successive upward steps in military rank. Arthur was meanwhile handling smoothly and successfully in Seringapatam a maze of military and civic problems, intrigues, plots against him, difficulties and frustrations, and plans for his discomfiture, which were remarkably similar in their detail to the infinitely more serious varieties which he was later to face and master in Portugal and Spain.

When a new overseas expedition from India was planned against the French, Richard managed to secure the temporary command of it for his brother but was unable to obtain promotion for him in rank. Colonel Wellesley was sent to Ceylon to organize troops gathered there who were intended at first for an attack on Mauritius and later for one on the Dutch at Java. On advice from England the plan was altered to one of proceeding against the French in Egypt by an expedition from Bombay. When he arrived there Arthur learned with dismay that Richard's influence had been unavailing to prevent the command being given to General Baird. A new and surprising form of weakness became suddenly manifest in Arthur. He declined angrily and persistently to exonerate Richard, accused him of an affront, and initiated a long period of coldness between himself and his brother during which Richard found himself always addressed in correspondence as 'My Lord'. The difficulty of serving under Baird was resolved for Arthur by a sudden illness which disabled him for travelling and gave Richard the excuse and opportunity to have him

sent back to his post of provincial Governor at Seringapatam.

Here, in still difficult but more settled surroundings, he exercised stern authority over a host of peculators, both English and Indian, encouraged social amenities of various kinds among his younger officers and enjoyed their entertainments and company, hunted occasionally, and caused some sensation by his attentions to the wives of some of his officers, who were now allowed to be present with their husbands. In accordance with the promptings of what remained throughout his life a strong, basic but perhaps uninspiring sense of religion, he provided a chaplain for the English community and garrison at Seringapatam, as he had done some years before for the 33rd when he was in direct command of it. In April 1802 he received the news that he had been given, at the age of thirty-two, the rank of major-general.

In spite of his brother's continued coolness Richard never ceased his reliance on him as a consultant and adviser, and presently secured for him leadership of part of the expedition against the Mahratta Confederacy which brought their territories eventually under British domination. Major-General Wellesley commanded the Southern Army which took part. In this campaign he achieved a startling power of quick movement by a consistent combination of brilliant generalship and painstaking organization of transport and supplies. This success achieved for him the enduring fame of his work in India and the credit for the victories of Ahmednuggur, Assaye and Argaum. Added to these were the diplomatic victories of his handling of the ensuing peace negotiations, and of his successful insistence on moderation in the Indian Government's treatment of the defeated Mahratta chiefs. When the Southern Army was no longer required he returned to Mysore and pleaded forcefully to be allowed to return to England. Permission was at last given him, and he sailed in March 1805, shortly after receipt of news from England that he had been made a Knight of the Bath, and after a long and strenuous round of farewell festivities, which he probably enjoyed. He had been nine years in India, and was not yet thirty-six.

On his arrival in England the young major-general did not wait long for confirmation of his belief that opportunity awaited

him there. He was at first given command only of a brigade in Kent, and he married Kitty Packenham. He soon found himself in much the same consultative relationship with Cabinet Ministers in matters concerning India as he had there experienced with his brother Richard, and his wisdom and detailed knowledge quickly led to his advice being sought on other military and political plans and problems. Four months later Richard arrived home, accompanied by the cloud of suspicions and accusations which customarily surrounded retiring Governor-Generals. Pitt died in 1806, and was succeeded by Grenville and the Ministry of All the Talents. Attacks on Richard in Parliament developed some signs of seriousness, and Arthur, in the new rôle of his advocate and protector, secured a seat in the House of Commons as Whig member for Rye. His speeches on behalf of Richard and their success brought him increased respect and friendliness from Ministers, and when presently Fox died and the Portland Government took office, Arthur exchanged his Whig seat and became Tory member for the Isle of Wight. Soon afterwards, on the understanding that his acceptance of the post should not interfere with his military career, he became Chief Secretary for Ireland.

In 1808 Sir Arthur Wellesley, a newly appointed lieutenant-general and the youngest of that rank in the British Army, took command of an expedition at Cork and led it to the victories of Roliça and Vimiero, near Lisbon. There followed his frustrations by two senior generals, Sir Harry Burrard and Sir Hew Dalrymple, and the temporary shadow cast on his military career by his having signed the Convention of Cintra. For a very short time he returned to his Irish Secretaryship, while Moore faced Napoleon and destroyed, by daring, his plan for the conquest of Spain and Portugal; the immediate consequence of which was the confusion in the French armies which enabled the British to retain Lisbon. The Government decided to seize the opportunities which this provided. Troops were gathered and in April 1809 Lieutenant-General Sir Arthur Wellesley returned to Lisbon, with full command, to inaugurate his Peninsular Campaign.

Before sailing from Portsmouth Wellesley sent to London for copies of Moore's correspondence and of all important documents concerning current Spanish and Portuguese affairs.

It can be assumed that he read them carefully, but it is certain that he failed to profit by the lesson of the danger of believing in Spanish willingness and ability to co-operate, which Moore's despatches provided. Wellesley based his Peninsula Campaign on the capable and correct assumption that the immense French armies which opposed him must always remain to some extent widely separated, on account of their dependence on local produce for the bulk of their food requirements; and that their difficulties in combining against him would give him much tactical opportunity of attacking them, in turn, and of retiring when necessary on the secure naval sea-base of Lisbon. He learned presently that the Spanish armies which, on paper, were almost equal to his own were a greater menace to him than they were to the French, on account of their lack of discipline and equipment, the incompetence of the Spanish generals, and treason and corruption among Spanish civil leaders, whose conceit and jealousy of each other and promises which they had no intention of fulfilling made even contact with them a dangerous liability.

In his favour, Wellesley found endless advantage in the French commanders' jealousy of each other and of Napoleon's brother Joseph, whom he had installed in Madrid as King. The British commander found also, in the later period of the campaign and after the almost complete disintegration of the Spanish armies, a welcome asset in the enterprise and gallantry of the officially leaderless Spanish peasantry, who organized themselves everywhere in groups of guerilla fighters under local leaders. Over the Portuguese Government and people he had some power and authority on account of his personal contact with the Cabinet, which acted for the Regent after his departure with the court to Brazil; and of the enrolment and training of a large number of Portuguese regiments undertaken by General Beresford. These troops, officered by British personnel, proved their value and showed bravery in action on many occasions. Nevertheless, Sir Arthur's difficulties with the Portuguese Government were only slightly less formidable than those perpetually provided for him by civil authorities in Spain. The story of his negotiations and dealings with civil authorities is a long record of his mastery of almost insurmountable obstacles and frustrations placed in his way by open opposition and secret

deceit; by consistent breaking of promises; and by the effects of the pressure of sustained misrepresentation, by the leaders of both peoples, of British action and intentions for assisting and liberating their respective countries.

In the closer sphere of his command Wellesley found himself in a mesh of unending difficulties and problems. In the curious circumstances of British military organization, he was able to select few of the officers, of any rank, who served him, and for a long time he was obliged to suffer the presence, even on his personal staff, of inexperienced incompetents in every branch of the service. From no real fault of the Tory Ministers who were supporting him, fearfully and uncertainly, in face of Whig, Press and popular clamour for his recall and for the re-embarkation of his army, he was kept starved of money. This made impossible for long periods the payment of the troops, the securing for them of sufficient supplies of food and fodder, and the payment of native muleteers and transport providers, who, lacking it, frequently seized the opportunity of a battle to disappear with their charges and their loads.

The most serious of all his difficulties was that of maintaining absolute secrecy with regard to his plans and intentions. He alone understood that tactical retirement could be as valuable as a victory in confusing the plans of the enemy. In England his early successes in battle were criticized as being proof of dangerous rashness, and every retirement, even when made with the deliberate intention of tempting an enemy general into discomfiture, was hailed as a defeat and a disaster. There came a time, presently, when Ministers at home indicated to the British Commander that news of another victory was a necessity for their continued retention of power, and he knew that their replacement by a Whig Government was likely to be followed by withdrawal of the troops from the Peninsula and abandonment of the campaign. For some time he and Castlereagh were almost alone in understanding the truth that the presence of the comparatively small British army in the Peninsula was holding there French troops in infinitely greater numbers, and that a British withdrawal would free these for use elsewhere, besides presenting Napoleon with a complete conquest of Spain and Portugal.

It seems strange that the Whig view was shared by senior

officers who served with Wellesley. Many of them were openly hostile to him, and criticized him freely in letters to friends at home, to the Press and to Whig leaders in Parliament. These officers were not all Whigs. Charles Stewart,[1] who was for some time his Adjutant-General, was a younger brother of Castlereagh, a flamboyant, boastful and aggressive but brilliant cavalry officer of limited mental capacity, of whom in later years his Commander remarked calmly: 'He intrigued in the army against me, and with the assistance of Robert Craufurd turned every one of the general officers against me except Lord Beresford, who, like a good soldier and honest fellow, as he is, discountenanced all these petty intrigues.' Sir Arthur's military secretary was found to be passing all the confidential information he could collect at Headquarters direct to the Whig leader, Lord Grey. By other officers, details of numbers and locations of British troops were foolishly and regularly supplied to and printed in newspapers in London which were promptly forwarded to Napoleon by French agents.

With only a dim awareness of the difficulties he was about to encounter Wellesley opened his campaign, from Lisbon, with an attack on Soult, who was at Oporto, and secured a brilliant victory which cleared northern Portugal of the enemy. An advance into Spain brought sudden realization of the truth about Spanish armies and generals. In the absence of help from them, victory at Talavera had to be followed by retirement back to Portugal. The Spaniards made the presence of the British army with them impossible, and the French in the north threatened its communications. Sir Arthur wrote at the time, with unusual feeling[2]:

> I am fully aware of the consequences which may follow my departure from Spain. But I am not responsible for these consequences, whatever they may be. Those are responsible for them who, having been made acquainted with the wants of the British Army more than a month ago, have taken no efficient measures to relieve them; who have allowed a brave army, that were rendering gratuitous services to Spain, that was able and willing to pay for everything it received, to starve in the centre of their country, and to be reduced by want almost to a state of inefficiency; who refused or omitted to find carriages to remove the officers and men who had been wounded in their service, and obliged me to give up the

[1] Later 3rd Marquis of Londonderry.
[2] *Supplementary Despatches*, VI, p. 134.

equipment of the army for the performance of this necessary duty of humanity.

This outburst expresses only the beginning of Wellesley's disillusionment regarding the Spaniards but, it may be added, the British army was by no means always able to pay for what it required. The honour of being made a viscount for the army's victory at Talavera was slight compensation to its Commander. He said presently[1]: 'I have fished in many troubled waters, but Spanish troubled waters I will never fish in again.'

He waited for some time on the Portuguese border, while heavily reinforced French armies concentrated against him, and he faced the threat calmly by successfully organizing in secrecy the defence of Lisbon on the heights of Torres Vedras. It is probable that he alone knew that he had laid a perfect trap for the French. He dared not mention his plan to anyone, as even a murmur of suspicion in the ears of the enemy would have ruined it, and when he retired his army across Portugal and behind the fortified lines he had to face alone both the howls of critics and the loss of faith, openly expressed, of friends. With what appeared to be overwhelming strength, Massena marched confidently into the trap of the complete impregnability of the defences, which was unknown in its full detail even to the engineer officers who had prepared it. Massena was unaware of the existence and nature of the lines until he found and faced them. If the Portuguese Government had supported Wellesley in his demand for a scorched-earth policy on the line of the French advance, Massena's predicament would have been similar to that suddenly encountered by the Grand Army at Moscow. Disloyalty and intrigues on the part of members of the Portuguese Cabinet enabled the French army to be supplied, with difficulty, for a month. When threat of disaster as the result of starvation at last forced Massena to return to Spain, he left 8,000 prisoners behind him and 17,000 dead. Lord Wellesley, with troops well-fed from supplies and ships at Lisbon, followed him cautiously and confidently, and when he turned beat him decisively at Fuentes d'Onoro.

There followed in 1812, among other engagements, the successful sieges of Ciudad Rodrigo and Badajoz, the skilful manœuvring of Joseph out of Madrid, and its occupation to the

[1] F. S. Larpent, *Journal*, p. 318.

accompaniment of enthusiastic acclamations from its citizens. Wellesley was made an earl after the capture of Ciudad Rodrigo, and a marquis after the occupation of Madrid, but this period of success was of short duration. French concentrations threatened him once more. To the dismay of the people of Spain, and particularly of the populace of Madrid, the British army was again withdrawn to the border towns. Then the consequences of the Moscow disaster were seen to be affecting French strength and efficiency, and in 1813 the British advanced and secured the almost unbroken series of successes which led to the crossing of the Pyrenees, the invasion of France, and final victory at Toulouse in 1814.

Wellington's success in mastering all his problems and difficulties during the earlier phases of the Peninsula campaign was clearly prepared in detail and made possible for him by his experiences during his nine years in India. The years of the Peninsula campaign are those of the full flowering of his unique and baffling personality, which has attracted and is likely to continue to attract the efforts of historians and other writers to explain it, but it is certain that no attempt that has so far been made in this connection has done more towards explaining the mystery of Wellington's personality than to help us realize its insolubility.

Before the close of the Peninsula campaign he had succeeded in achieving control of both Spanish and Portuguese authorities to an extent which made them incapable of further serious mischief. He had acquired the loyalty and admiration of all his officers and of the men under him. He had become necessary to the existence of the Tory Government at home, for his victories and ability were the basis of their strength and power. He had silenced serious political criticism of their conduct of the war, and gained the respect of Whig leaders. He was an admired and worshipped hero, not only in the eyes of his fellow-countrymen but also in those of all the peoples of Europe who had been at war with France.

On his return to London he found himself unrecognized in the streets but with admiration of him manifest everywhere, in conversation and in the Press. On the Continent he was rightly recognized as a leading architect of the downfall of Napoleon

which led to his confinement in Elba and the restoration of the Bourbon dynasty to France. The British Government saw the opportunity of playing their victorious hero-general as a trump card in the game of international politics, and promptly sent him to Paris as Ambassador, giving him a week later a dukedom. From Paris he was soon transferred to the Congress of Vienna as British representative. He was unanimously chosen to be the Commander of allied armies in Western Europe on the escape of Napoleon from Elba and his return to France, and after Waterloo was given sole command of the allied forces in France during the occupation, together with complete power and responsibility in negotiating the settlement of Europe's account with her. He became the intimate friend and consultant of most of the crowned rulers and leading statesmen of Europe. Honours and awards were heaped upon him in measure rivalling any received by any individual in human history, and few in history have ever rivalled him in the calm and sustained mastery of their perils. He passed presently, in his political career at home, from the heights of national hero-worship to the lowest depths of popular hatred, and back again, when age was upon him, to popular admiration, displaying always an almost child-like simplicity of strength, calmness and integrity which eventually secured for him the unchallenged national acceptance of his authority and counsel.

The truth seems to be that he encountered nothing in his experiences after the Peninsula campaign that was not a repetition of the problems and triumphs he had faced in the course of it. During this hard formative period he endured loneliness and enforced isolation with effects which can be fully sensed and understood perhaps only by those in high positions who have had similar experiences. Can it be said that his shyness in youth and the difficulties, strain and loneliness which he endured and mastered in the early years of the Peninsula campaign, together with his later experience of fame, forged for him a mask which in the course of years, like that of the man in Sir Max Beerbohm's charming fantasy, moulded its wearer's features to its design? If so, it is certain that the moulding in Wellington's case was never wholly complete. Glimpses of the enduring humanity of the features behind the mask are available in his tears over the wounded and unconscious body of the young Earl of March, in

the Jenkins letters, in the tragedies of the two colonels, Sturgeon and Bevan, in his Spartan private life and boyish enjoyment of luxurious entertainment, in his love of playing with children,[1] and in his kneeling humbly in old age with his tenants at Communion before the altar of the church at Stratfield Saye.

[1] A soldier recorded having seen the Duke in a street in Madrid, 'walking hand in hand with a little Spanish girl of five, and stopping occasionally to buy things for her at stalls', and added, 'but I was not near enough to him to know whether he was singing to her, or just crooning'.

CHAPTER VI

MAJOR-GENERAL ROBERT CRAUFURD

WHILE the 1st battalion of the 52nd and that of the 95th Regiment were distinguishing themselves in Edward Paget's brigade as the solid infantry nucleus of Moore's rearguard on the retreat to Corunna, the 1st battalion of the 43rd, together with the 2nd battalion of the 95th, was serving as part of the brigade of General Craufurd in Sir David Baird's corps which landed at Corunna and joined Moore near Sahagun. During the retreat, and in order to relieve congestion, Craufurd was ordered to retire independently by another road and re-embark his brigade at Vigo. His difficulties were at first not less than those of the main army. As he was later given command of Moore's three Shorncliffe regiments, the 1st battalions of the 52nd, the 43rd and the 95th, when they were at last brigaded together again in 1809, the following picture of him in action in the Corunna retreat is valuable for the light it throws on the history of Moore's reforms[1]:

> I remember one evening, during the retreat, he detected two men straying away from the main body. . . . He halted the Brigade with a voice of thunder, ordered a drum-head court-martial on the instant, and they were sentenced to a hundred lashes apiece. Whilst this hasty trial was taking place, Craufurd, dismounting from his horse, stood in the midst, looking stern and angry as a worried bull-dog. He did not like retreating at all, that man.
>
> The three men nearest to him as he stood were Jagger, Dan Howans and myself. All were worn, dejected, and savage, though nothing to what we were after a few more days of the retreat.
>
> 'Damn his eyes,' muttered Howans, 'he had much better try to get us something to eat and drink than harass us in this way.'
>
> No sooner had Howans disburdened his conscience of this growl, than Craufurd, who had overheard it, turning sharply round, seized the rifle out of Jagger's hand, and felled him to the earth with the butt-end.
>
> 'It was not I who spoke,' said Jagger, getting up and shaking his head. 'You shouldn't knock me about.'

[1] From *Recollections of Rifleman Harris.*

'I heard you, Sir,' said Craufurd, 'and I will bring you also to a Court-Martial.'

'I am the man who spoke,' said Howans.

'Very well, then,' returned Craufurd, 'then I'll try you, Sir.'

And accordingly, when the affair was disposed of, Howan's case came on. By the time the three men were tried, it was too dark to inflict the punishments. Howans had got the compliment of three hundred lashes promised to him. Craufurd gave the word to move on. He marched all that night on foot; and when the morning dawned, I remember that, like the rest of us, his hair, beard and eye-brows were covered with frost, as if he had grown white with age . . . the general once more called a halt . . . ordering a square to be formed, he spoke to the Brigade in these words, after having ordered the three before-named men of the 95th to be brought into the square.

'Although,' said he, 'I should obtain the goodwill neither of the officers nor of the men of the Brigade here by doing so, I am resolved to punish these three men according to the sentence awarded, even though the French are on our heels. Begin with Daniel Howans.'

There was some difficulty in finding a place to tie Howans up. . . . However, they led him to a slender ash tree which grew near at hand.

'Don't trouble yourselves about tying me up,' said Howans, folding his arms. 'I'll take my punishment like a man.'

He did so without a murmur, receiving the whole three hundred. His wife, who was present with us, I remember, was a strong, hardy Irish-woman. When it was over, she stepped up and covered Howans with his grey great-coat. The general then gave the word to move on . . . Howan's wife carrying the jacket, knapsack, and pouch which the lacerated state of the man's back would not permit him to bear. . . .

It could not have been, I should think, more than an hour after the punishment had been inflicted upon Howans, when the General again gave the word for the Brigade to halt, and once more formed them into a square. . . .

'Bring out the other two men,' said he, 'who were tried last night.' The men were brought forth accordingly, and their lieutenant-colonel, Hamilton Wade, at the same time stepped forth. He walked up to the General, and, lowering his sword, requested that he would forgive these men, as they were both of them good soldiers, and had fought in all the battles in Portugal.

'I order *you*, Sir,' said the General, 'to do your duty. These men shall be punished.'

In unanimously crediting to Moore's Shorncliffe reforms the magnificent achievements of the Light Division in the Peninsula campaign, military historians have overlooked the fact that only certain aspects of his *Military Training* were understood, admired and developed, that his *Moral Training* was very soon discarded, and that the memory of it survived only in the minds

and methods of some of the younger officers to whom it had been taught by Moore personally. It was of a kind that was wholly comprehensible in the early years of the nineteenth century only to individuals, and only to a small number. For these, there was the difficulty that the new relationship between officers and men which was its aim required time and opportunities for fulfilment which were not often available in the vicissitudes of frequent changes of personnel among both officers and rank and file. Moore's *Moral Training* conception survived, but without the descriptions of it recorded by George Napier and others it would not now be possible to trace its origins as the basis of later, long delayed Army reforms, and, as will be revealed in detail presently, of the brilliant police achievements of Charles Rowan.

Moore was not less aware than Wellington of the underlying truth in the latter's well known and frequently quoted pronouncements that British soldiers were the scum of the earth. Wellington's conception of Moral Reform was to achieve it by increasing the power and prestige of non-commissioned officers by giving them more responsibility and pay, and by emphasizing the traditional aloofness of commissioned officers from men. He liked the rule in Guards' regiments that officers must never speak directly to their men.[1] Asked, when appearing before the Royal Commission on Military Punishments in 1836, if he could have established discipline in the Peninsula by any means other than corporal punishment, he replied: 'No, it is out of the question. . . . Having had this subject in contemplation for six or seven years, I have turned it over in my mind in every possible way, and I declare that I have not an idea of what can be substituted for it.'

Wellington was far from being one of the few who were capable of understanding Moore's conception of a new relationship between officers and men making the *repression* of crime unnecessary by securing its *prevention* without use of force. When necessary, Moore also could be severe in discipline and punishment, but it is the sum of the differences between the two great leaders that to Wellington the moral degradation of the British soldier was a disease that was incurable, and controllable in its severe manifestations only by flogging and

[1] Maxwell, *The Life of Wellington*, vol. II, pp. 125-33, and other authorities.

hanging, while to Moore the symptoms of the disease were a means of diagnosis which clearly pointed the way to complete and permanent cure through new and humane remedial treatment.

No commanding officer in the early period of the Peninsula campaign excelled Robert Craufurd in his understanding of the practical possibilities of Moore's *Military Training*. None was so inherently incapable of understanding those of his *Moral Training*. Why Moore's three Shorncliffe battalions were separated in 1806 and were at last brought together again in 1809 is one of the many mysteries of Army organization at this period. The 52nd remained with Moore and accompanied him to Sicily and Sweden. When the three units were re-formed again, as the 'Light Brigade', after Moore's death, Craufurd was given its command. Although more anglicized than most of them, he was another of the many Scotsmen whose numbers tend to give the erroneous impression that they officered the entire British Army.

Robert Craufurd was born on 5th May 1764,[1] joined the Army as an ensign at the age of fifteen, served in India from 1790 to 1792, in Ireland in 1798, and later on the Duke of York's staff in Holland. He was for a short time in South America under General Whitehead, who was court-martialled for the disaster at Buenos Aires caused by his incompetence. This experience had a lasting effect on Craufurd's mind and temperament. Earlier he had visited Germany and Austria, where he studied German and the organization of the Prussian and Austrian Armies, and he had acquired some reputation as an authority on strategy and tactics by a translation of a German treatise on the art of war which he published in conjunction with his brother Charles. Robert's promotion in the Army came largely from the influence of this brother, who married the widow of the third Duke of Newcastle.

Robert Craufurd unquestionably possessed talents of a high order, although their manifestations were largely military and were often vitiated by his temperamentalism, his natural impetuousness, and an incorrigible habit of being insubordinate. There are numerous records which show that by individual

[1] *General Craufurd and his Light Division*, by the Rev. Alexander Craufurd.

officers he could be distrusted and hated and yet at the same time admired, and that by the rank and file of the Light Brigade, in spite of his brutality, he was regarded with mingled feelings of fear and hate, liking and respect. He was very visibly the victim of alternate moods of violent rage and equally deep depression, and as his letters to his wife pathetically reveal, he strove constantly and manfully with these weaknesses. He was five years older than Wellington, and was jealous of him for reasons which included a sense of being superior to him in the sphere of specialized military study. Wellington said of him that he was 'a dissatisfied, troublesome man'.[1] There are few better minor indications of Wellington's genius and personality than his calm assessment of Craufurd's values and defects, his skilful use of the former and his equally calm tolerance of the latter, to the point of danger.

The Light Brigade arrived at Lisbon after the capture of Oporto and during the pursuit of Soult. On his way to the front, on the eve of Talavera, Craufurd received orders to hasten his advance. He arrived too late to take part in the victory but with the amazing record of having covered sixty-two English miles in twenty-six hours,[2] with each man carrying 'sixty to eighty rounds of ammunition, a musket or rifle, a greatcoat, a blanket, and a knapsack complete with shoes',[3] the total weight of which is said to have been 50–60 lb.[4] The time in which this march was recorded as having been completed caused widespread disbelief and assertions that it was an impossibility, but later Maxwell[5] and other historians showed that it was feasible, on the ground that Craufurd probably used Moore's system of alternating three paces at the march with three at the double, where the ground covered was suitable for this practice.

Craufurd is solemnly recorded by various historians as having 'perfected' Moore's Shorncliffe training. The truth is that he almost destroyed it. What he effected was the total abandon-

[1] Croker, vol. I, p. 347.
[2] *General Craufurd and his Light Division*, p. 76. In his *History of the War in the Peninsula* William Napier's figures are fifty miles in twenty-two hours.
[3] Leach, *Rough Sketches in the Life of an Old Soldier*.
[4] *General Craufurd and his Light Division*.
[5] Maxwell's *The Life of Wellington*, vol. II, p. 166.

ment of Moore's *Moral Training* and the restoration, in an intensified form, of the practice of basing discipline on fear. A minimum punishment of twelve lashes was inflicted for even the smallest breach of a soldier's attention to his duties. For every detail of Craufurd's extraordinary minutiae of orders, rules and regulations he had a professed reason. He enforced to absurd extremes principles that were basically correct. Because he believed, rightly, that the shorter the time troops spent on a march, the longer would be the time they had for sleep and for drying their wet clothes, he punished with lashes a soldier pausing to lap up water while crossing a stream. For the same reason, obstacles encountered on a march had to be surmounted when possible by the men without any break of file or line, even when these obstacles were waist-deep water or mud, thick scrub, walls or deep ditches. Even a momentary deviation was a crime. If a party of men or a whole regiment arrived at a passable river or stream where there was a bridge, only the few who had the good fortune to arrive at the end of it were entitled to use it; the remainder, including officers, were obliged to wade and sometimes to swim. No one dared to break line in any way that might cause others to pause.[1]

So perfect was the fear of the cat which Craufurd instilled in his troops that he was able when on the march in times of hot weather or water shortage to secure perfect obedience to an order for each man to rinse his mouth with a sip of water from his canteen without swallowing any. This was done under close supervision by non-commissioned officers, who kept a close watch on 'Adam's apples'. The slightest betraying movement meant twelve lashes for the offender. It is claimed in praise of Craufurd that the fear of flogging which he inspired soon made its use unnecessary and that his soldiers became devoted to him. He was certainly outstanding among commanding officers for the tireless attention he paid to arrangements for his men's comfort, and to commissariat and billeting problems. The worst, and inevitably tragic, consequences of his severe discipline were not for some time apparent.

On its arrival at Talavera, after the battle, the Light Brigade assisted in burying the dead and formed a line of advanced

[1] Kincaid, *Random Shots by a Rifleman*, ch. 4, and other writers.

outposts. Wellington found himself in difficulties in the presence of new French concentrations, and as the consequence of his troubles with his Spanish allies he began his retreat into Portugal. On 22nd February 1810, by the addition of some Portuguese troops and German cavalry, the Light Brigade was numerically increased and named 'the Light Division'. One of its two brigades was composed of the 1st battalion of the 52nd, four companies of the 95th Rifles, and the 1st regiment of Portuguese Caçadores. The other comprised the 1st battalion of the 43rd, four companies of the 95th and the 3rd regiment of Caçadores. In addition there were in the division four hundred cavalrymen of the King's German Hussars, and a troop of Horse Artillery with six guns under Captain Ross. Craufurd soon trained the new Division into the normal routine of being able by day or by night, and as a complete unit, to be under arms in seven minutes after receipt of an order, and to be ready to march in fifteen minutes, with baggage loaded and assembled in the rear.[1]

While Wellington was hesitating in the hope of finding some means of assisting the Spaniards and giving encouragement to their threatened garrisons in Almeida and Ciudad Rodrigo, Massena and Ney were found to be approaching with 60,000 infantry and some 6,000 cavalry, who were trained and experienced troops. Wellington had with him approximately 23,000 British and 15,000 Portuguese troops. The former were mostly partially trained recruits, and the latter were wholly unproved and not as yet reliable. His aim was to find means of delaying the enemy's advance as long as possible, and for this purpose he sent the Light Division across the River Coa to occupy a wide tract of country in the neighbourhood of the menaced towns. Craufurd was ordered to bluff the enemy for as long as possible, to retreat across the Coa when delaying tactics were no longer possible, and on no account to be drawn by delaying tactics into pitched battle. He carried out these orders with magnificent success for some time, in view of his slight strength compared with that of the enemy, and then one day, when under unusually severe French pressure, he deliberately waited and tried to sustain a defence, instead of retiring when both military reason and his orders should have made him

[1] W. Napier, *History of the Peninsular War*, vol. I, p. 405.

do so. The Light Division was thrown into confusion, but two events saved it from total extinction. The first was that, because of personal jealousy, the French cavalry general, Montbrun, refused Ney's order to charge and destroy the Division; the second was that after Craufurd had completely lost control, command was seized individually and independently by a number of regimental officers. These, with unorganized but sustained initiative and vigour, rallied and led the groups of men under them to charge and countercharge the French throughout the night of 24th July 1810, with such success that the whole Division, less many casualties, was enabled to reach safety down the rocky slopes above the river and across its single and for some time badly blocked bridge. It was in every way what is called a soldiers' battle, and a soldiers' victory, to the extent that by themselves they achieved their escape from annihilation made inevitable seemingly by irremediable error, and consequent helplessness, on the part of their general.[1] The Light Division had the temporary assistance of two cavalry regiments, the 14th and the 16th Dragoons, but its total numbers were only 3,200 British and 1,100 Portuguese troops. During the course of the battle they faced, held and escaped from an attacking French force of six times their strength.

Craufurd atoned for his lapse on the Coa soon afterwards by his masterly handling of the Light Division at Busaco, where it inflicted on the French one of the most drastic routs in the history of the campaign. As rearguard on the long retreat to Torres Vedras, and thereafter as advance guard during the steady pursuit of the retreating French armies into Spain, the division steadily increased its fame under his leadership. He was, nevertheless, at all times temperamental in his relations with Wellington and other generals, and for that and other reasons he was a constant cause of anxiety and sometimes of alarm to his commander.

During the successful return to Spain, and shortly before the siege and capture of Ciudad Rodrigo, Wellington, temporarily hard-pressed and menaced at Guinaldo, sent Craufurd an urgent

[1] William Napier, *History of the War in the Peninsula*, vol. II, p. 412. 'There was no room for a line, no time for anything but battle. Every captain carried off his company as an independent body . . . the whole presented a mass of skirmishes acting in small parties and under no regular command.'

order to come at once to him with the Division, for reasons of his own safety. Disagreeing with Wellington's appraisal of the situation, Craufurd obeyed the order with deliberate leisureliness, thereby risking the cutting off of the Light Division by a French manœuvre, and an unpleasant predicament for the forces with Wellington, which he succeeded in avoiding by taking grave but necessary risks. When Craufurd at last joined him Wellington gave him a heavily ironic greeting: 'I am glad to see you safe, Craufurd.' '*I* was never in any danger,' Craufurd replied haughtily. 'But *I* was,' Wellington answered, and immediately cantered off. 'He's damned crusty this morning!' Craufurd remarked to his staff.

On another occasion Craufurd was ordered to march the Division by a certain road. He deliberately ignored the order and chose another road, along which he led the Division into impassable floods, so that he had to march it back for miles and take the road by which he had been ordered to proceed. What his officers and men thought of him on this occasion and what Wellington said to him has not been recorded.

An interesting illustration of the difficulties created for Wellington by his generals is the account of Craufurd's meeting with Picton at the opening of the battle at the Coa. Picton rode out to see what was happening. His division was the nearest to the Light Division. Craufurd, already sensing his danger from having stayed too long in his position rode over to Picton and asked him to send assistance. Picton surveyed the scene for a short time and then answered emphatically, 'I'll be damned if I do!' and rode off. Craufurd flung after him what has been euphemistically recorded as 'a rude retort'.[1] What is remarkable about this story is that Picton seems to have been inexcusably in the wrong. There is no question that he had orders from Wellington to support the Light Division, as is proved by the following letter written by Picton to Craufurd three weeks earlier[2]:

Sir,

It being important that I should communicate to you, with as much expedition as possible, the events that may take place on these parts of the Coa which I am instructed to observe, I have to request that you will

[1] This and the previously quoted incidents are recorded in most standard histories of the campaign, with only slight variations.

[2] Rev. Alexander Craufurd, *General Craufurd and his Light Division*, p. 121.

have the goodness to station a dragoon at Valverde, with orders to forward such communications as I have occasion to make, in the most expeditious manner; and I have also to request as early information as possible of your movements, that I may be enabled to co-operate with them, in obedience to His Excellency the Commander of the Forces' instructions of the 2nd instant.

I have the honour to be,
Your faithful humble servant,
Th. Picton, M.G.
Commanding 3rd Division.

It is known that the two men, a Welshman and a Scot, hated each other, and seldom missed an opportunity of demonstrating this feeling when they met. Picton's lack of self-control when meeting Craufurd at the Coa might have caused the loss of the Light Division.

Early in 1811 Craufurd insisted on going home on the grounds of urgent private affairs which required his attention, and left in spite of Wellington's urgent appeals to him to stay at his post. Wellington appears to have had no power to prevent his senior officers taking leave if this was granted to them from the Horse Guards. Craufurd returned in time for the battle of Fuentes d'Onoro, when he again revealed his great talents as a commander. In the following month he was gazetted major-general. In January 1812 he led the Light Division to the siege of Ciudad Rodrigo.

For this operation Wellington had the support of 35,000 men and 70 guns, although transport difficulties enabled only 38 to be brought into use. The first action was the storming and capture of the outlying redoubt of San Francisco by a party consisting of a hundred men from each of the British regiments of the Light Division. A week of trench and pit digging by men of the Light and 3rd Divisions followed, but heavy and sustained fire from the ramparts exposed the futility of this form of attack. Wellington had no siege train, and neither the means nor the time to conduct a siege on what were regarded at the period as orthodox and scientific lines. News of a French concentration for the relief of the town obliged him to seek a quick conclusion. He hurriedly opened two breaches in the ramparts with his guns. The Light Division stormed one and the 3rd Division the other. With great sacrifice of life the town was captured in half an hour.

While the Light Division stormed the left, and lesser, breach, Craufurd stood on their left, alone with his aide-de-camp Captain James Shaw,[1] as they charged up. He was level with the ramparts, from which the breach was separated by a deep ditch, and was under heavy fire from them. He was shouting encouragement to his men as they crossed the crest and leapt into the ditch when a musket ball struck his arm, passed through it, and through his ribs and body, and lodged in his spine. He fell heavily, and rolled back down the face of the glacis. He was carried presently to a house where, conscious and clear-minded to the end and in great pain, he died a few days later.

On Wellington's orders he was buried in a grave on the ramparts of Ciudad Rodrigo, close to the breach which his men had successfully stormed. His funeral was conducted with the fullest military ceremonial that was possible on the occasion, and the many accounts of it reveal the extent to which emotional reaction had the effect of eliminating ill-feeling and rancour against him, and engendering understanding and appreciation of his qualities.

Craufurd's personality reveals a duality of intense and conflicting passions. 'My whole life,' he wrote in a letter to his wife, 'has been passed in a kind of storm.' It is essential for a clear understanding of him that the record of his brutality as a soldier should be considered in conjunction with another aspect of him which appears in his letters to his wife. In 1799, before their marriage, he wrote to her[2]:

> The Almighty—whose name I would not take in vain—knows that I speak the truth when I say that I feel myself unworthy of the blessing He has bestowed upon me in giving me your affection; but I feel, and, with the most religious gratitude to my benevolent Creator, acknowledge in this a proof of His compassion (if indeed, it is true that He notices such insignificant beings as we are, and if it is possible that His bounty should be expressly extended to so imperfect, so little deserving a creature as myself). It appears to me as if it was intended that the sort of storm in which my mind has for many years past been involved should subside into that state of tranquil happiness, composure, reflection, and confirmed piety which will make me value my existence here and prepare me for that which is to come. The idea I have always formed to myself of a

[1] In later life General Sir James Shaw Kennedy.

[2] The following and other quotations are from *General Craufurd and his Light Division*, by the Rev. Alexander Craufurd.

future state of happiness, the only one my capacity enables me to conceive and consequently the only one of which I can say without hypocrisy that I have any real hope, is that we shall there meet those with whom we have been united here by the ties of sacred and virtuous affection.

In a letter to his wife written in 1806 when he was forty-two, Craufurd expresses

. . . apprehension lest you should not exert, by all the means which you know you possess, that influence which it is so much for my happiness and pleasure that you should exercise; but my most earnest entreaty to you is that you will do it upon any occasion. Most solemnly I declare to you that, if I was assured that you would do so upon all occasions, I should feel that to be the firmest basis of my happiness, because I am quite sure that nothing can aid so much to make me contented with myself and inoffensive to others . . . as my living constantly under your influence.

His wife's view of him is revealed in the following extract from a letter written to a friend more than a year after Craufurd's death:

That he was a hero, you know that he has proved, too fatally, alas! to the whole world; but do you know that, to the most exalted heroism, he united more than a woman's tenderness. . . . Such, and so unutterable was his fondness, his devotion, that in mourning his separation from me, I often check a rising spirit of repining, by a conscious sense that I would not exchange my present lot with any human being; so much more valuable do I feel to be the remembrance of having been loved by him, than the possession of any other blessing my heart could have known.

It is a pleasure to quote two comments on the personality of Craufurd offered by his grandson and biographer, the Rev. Alexander Craufurd:

Here, as in so many other instances, we find that heroism and genius are in some ways akin more to weakness than to power; that the incapacity to live upon self, or to regulate self, is a distinctive mark of many of the noblest and most ardent natures.

It will be understood and appreciated only by those who know and realize the baffling complexity of human nature, wherein the most opposite elements are ever interpenetrating each other and almost changing characters with each other; so that, in man, good and evil seem most nearly related to each other, brethren between whom no great gulf is ever fixed in this life. The wise and thoughtful know well that through manifold, palpable contradictions lies the way of all valuable truth, that it is only by freely 'entertaining' those intellectual 'strangers' called paradoxes that we can really 'entertain' the veritable 'angels' who bring to us a larger revelation of the deep mysteries of man's fathomless heart.

On the subject of Craufurd's intriguing against him Welling-

ton remarked coldly to Croker in 1826[1]: 'I believe he pushed it to a very blameable extent, for when he was mortally wounded he sent for me, and there, in the way one has read of in romances, he solemnly asked my forgiveness for injuries of that kind which he had done or endeavoured to do me.'

If it was not the masked Wellington who was speaking on this occasion, it is he and not Craufurd who is pitiable.

The whole ugly picture of the maintenance of discipline in the Peninsular War by fear-inspiring brutality and of Craufurd's record as one of the most vigorous exponents of this method is incomplete without mention of one of its consequences, which was the lasting shame not only of the desertion of British personnel to the French, but of the fierceness with which in the French ranks deserters were found fighting against their fellow-countrymen. The bitterest and fiercest opponents whom the men of the Light Division encountered in the breach at Ciudad Rodrigo were deserters from their own regiments, among whom were a number from the 52nd. This fact has been mentioned by a number of writers, who have generally abstained from drawing deductions from it.[2] The large number of British soldiers who deserted to the French and fought for them was a lasting problem, and the connection between it and the 'cats' of Craufurd and other generals which is now so obvious appears to have remained unnoticed. Wellington himself, perhaps naturally, seems to have been blind to it. Frequent discussion of the desertion problem by him and others is recorded, and his explanation is childishly naïve[3]:

> Wellington described to Lady Salisbury the extraordinary propensity to desert in the English army, especially from the besieging force into the besieged place. 'They knew,' said he, 'they must be taken, for, when we lay our bloody hands on a place, we are sure to take it sooner or later; but they liked being under cover, and then that extraordinary caprice which always pervades the English character! Our deserters were very badly treated by the enemy; those who deserted in France were treated as the lowest of mortals—slaves and scavengers. Nothing but English caprice can account for it; just what makes our noblemen associate with stage-coach drivers, and become stage-coach drivers themselves.'

[1] Croker, vol. I, p. 347.
[2] Maxwell comments: 'Perhaps a common cause was the fear of corporal punishment.' *The Life of Wellington*, vol. I, p. 254.
[3] *Ibid.*, p. 254, footnote.

Another direct consequence of disciplinary brutality in British regiments in the Peninsula was the appalling orgies, lasting for several days, which were held in Ciudad Rodrigo, Badajoz and other towns after their capture. Witnesses have pleaded that the details of the atrocities suffered by the innocent Spanish inhabitants at the hands of British soldiers temporarily freed from the repressions of their cat-enforced discipline are unprintable. On each of these occasions officers of all ranks are described as having been obliged to stand helplessly by, waiting shamefully for satiation to curb at last the released devils in their men, and not daring to risk certain death by interfering with them. The power which raises devils is always helpless before them when they appear. Wellington's consciousness of helplessness is illustrated by his occasional vitriolic outpourings, then and later, against what he believed to be the incurable bestiality of his troops. Like Craufurd and most other military leaders in the Peninsula, Wellington was aware of Moore's diagnosis that fear and enforced degradation were the cause of disease in the soldier, and it is to the lasting discredit of them all that after Moore's death they ignored his teaching and proceeded to aggravate the disease by intensifying the mischievous treatment of it which he had denounced.

CHAPTER VII

WATERLOO

THIS book began with the story of an incident in the lives of two young lieutenants in the 52nd, George Napier and Charles Rowan. Of their services from 1806 onwards, during the Peninsular War, there is only occasional mention in the voluminous records of the period, but we have another interesting glimpse of them together, as lieutenant-colonels, on their way home on leave from Bordeaux, after peace had been declared in 1814.

George Napier tells us modestly about this journey and other matters concerning himself in the delightful autobiography which he wrote for his children. He was one of Moore's aides-de-camp at Corunna, and he has been given by other writers the praise he well deserved for his leadership of the assault party of the Light Division at Ciudad Rodrigo, where he lost an arm. His own account of this action gives us a closer insight into the spirit and mind of the young officer of those days than is afforded us by any other writer. While waiting for orders to advance he suddenly became aware that he was going to lose an arm in the assault, and calmly announced this fact to the assistant surgeon of the 52nd, Walker, begging him to promise to undertake the amputation. In the breach shortly afterwards a grapeshot shattered George Napier's arm and elbow. He was knocked down, bruised and trampled on by his men, but recovered, picked himself up and cheered them on. When victory was won and the firing ceased he walked back to a dressing-station in the rear, found his friend Walker, and invited him to keep his promise. Walker told him that he could not, because he was not allowed to operate when a staff surgeon was present. Napier was obliged to wait his turn, which meant that the senior surgeon cut off his arm with instruments blunted by much use. The patient swore at him loudly throughout the operation, and then thanked him politely, which made him

laugh. Napier wandered about for an hour, eventually found a house where other wounded officers had gathered, and remained there for twenty-four hours delirious and in great pain. He was then moved with other wounded officers and men to a village thirteen miles away and gradually became well enough to be sent home on leave. He returned to the 52nd with the rank of major, commanded the regiment for some time, and later the 71st as lieutenant-colonel, and was with this regiment at Bordeaux in 1814 when he was given leave and went home with his friend Charles Rowan.

Recorded history has little to say about Rowan before the year of the battle of Waterloo, but the nature and value of his services in the Peninsula are revealed by the series of his promotions and staff appointments. He commanded a company of the 52nd throughout the Corunna campaign and the brilliant rearguard action in the retreat. When the regiment was brigaded again with the 43rd and the 95th in 1809, he was given, at the age of twenty-six, a brevet-majority and made Brigade-Major. His views of Crauford as the successor of Moore and Edward Paget are unknown. As Brigade-Major during the operations beyond the Coa, Rowan is mentioned by name by William Napier[1] for distinguished and successful individual service in averting disaster at a critical moment of the final phase of the battle of the Coa on 24th January 1811. On 9th May in that year Rowan received his full majority and was appointed Assistant Adjutant-General to the Light Division when it was formed. On 27th April in the following year, at the age of twenty-nine, he was given the rank of brevet lieutenant-colonel. He appears to have held the Assistant Adjutant-Generalship of the Light Division or other staff appointments throughout the rest of the campaign, although he was severely wounded in the assault at Badajoz and was absent from duty for some time afterwards. His Peninsula decorations are the Gold Medal with the words Ciudad Rodrigo on the reverse side, and with two bars, for Salamanca and Badajoz; and the Silver Medal with clasps for Corunna, Busaco and Fuentes d'Onoro.

George Napier's last mention of Charles Rowan is significant because it gives us glimpses of some aspects of his personality

[1] *History of the War in the Peninsula*, vol. II, p. 413.

which later and much fuller records of him consistently emphasize.

At Bordeaux the two colonels hired a small sailing boat to take them with their servants and baggage down the river to an English ship which was about to leave for Plymouth, and they had some unpleasant experiences of which a display of temperament on Napier's part seems to have been largely the cause. He writes[1]:

> A brother officer who was with me, Colonel Charles Rowan (now the chief of police in London, and one of the best and cleverest, gallant, honourable men in existence, as well as a staunch and true friend), and I went on shore to look at a curious village, cut in the rock. Each house was perfectly separate, but cut in the rock; bedrooms, kitchen, etc. etc., with regular communications, exactly like the inside of a house; not the least difference, except that all the rooms were in a line and looking towards the river. . . . As I had on my uniform,[2] we were immediately known to be British officers, and as most of the male inhabitants were sailors just released by the peace from our prisons and hulks, where to the eternal disgrace and shame of the British Government, they had been most infamously and inhumanly treated, they were determined to insult us, and commenced throwing stones and abusing us most desperately. So furious were they, that we deemed it the most prudent thing to retreat to our boat as fast as we could. However, as I was very angry, I drew forth one of my pistols and was just going to fire at them, but Rowan being a wiser and cooler-headed fellow, very properly prevented my doing so, and luckily for us, as in a few moments the whole village turned out, and we had but just time to regain the boat, and shove out, and escaped their fury, for they certainly would have murdered us without mercy.

Troubles were not ended. Napier continues:

> That night very late I was so ill from sea-sickness that I swore I would not remain any longer in the cursed boat, and Rowan very good-humouredly got out with me, and we waded up to our middle through a long mile of mud, as the tide was out. . . .

Mud-covered, they made their way to a distant light and found a friendly French family who gave them hospitality, washed and dried their clothes, and drove them next day to the place on the river off which the English transports were anchored.

After his return to England George Napier obtained a com-

[1] *Life*, p. 276.
[2] It is very characteristic of Rowan that he chose to travel in civilian attire on this occasion.

pany in a Guards regiment and later commanded the 44th. When this regiment was ordered to India he went on half-pay, on account of the death of his wife, and his decision to devote himself to the education and upbringing of his children. He was Governor of South Africa from 1838 to 1844 and died at Geneva in 1855.

Charles Rowan seems to have gone on leave on his arrival home in 1814. The next records of him are his appointment as a Companion of the Bath, and his being given temporary command of the 52nd in England and Brussels in the early months of 1815.

The last of the outstanding British military leaders of the Napoleonic Wars who require mention in these pages as having influenced the development and career of their younger colleague, Charles Rowan, is John Colborne, whose unique qualities and personality entitle him to a greater measure of attention than has so far been given him in military annals. His father lived at Lymington, in Hampshire, on a modest fortune inherited from an ancestor who had been a Director of the East India Company. John was born in 1778, educated at Christ's Hospital and Winchester, and joined the 20th Regiment as an ensign when he was sixteen.[1] Distinguished service as a regimental officer and a reputation for thoroughness and efficiency brought him the appointment of Military Secretary to General Fox, whom Moore joined in Sicily in 1806 as second-in-command. When Fox retired and Moore succeeded to the command he retained Captain Colborne's services. He remained with Moore as Military Secretary throughout the latter's short career and was with him at Corunna when he died.

When Wellington assumed command in 1809 he invited Colborne to be his Military Secretary. Colborne declined, 'at the price, it is said, of some displeasure on the part of Sir Arthur'.[2] When he eventually joined the army in the Peninsula in August 1809 he was given some staff work with one of the Spanish armies for three months, and then as Lieutenant-Colonel commanded the 66th. On the command of the 52nd becoming vacant by the retirement of Colonel Ross, Colborne

[1] *Life of John Colborne, Field-Marshal Lord Seaton*, by G. C. Moore Smith (1903). [2] *Ibid.*, p. 125.

exchanged to it, with consequences which had a lasting effect on the later history of that regiment. He led it at Ciudad Rodrigo, where he was severely wounded by a bullet which broke his right shoulder, passed down his arm and remained there for fifteen months before it could be extracted. During most of this time he endured acute and constant pain, and two years passed before he was relieved from it. He rejoined the 52nd in 1813 and commanded it, with intermittent periods of brigade command in the Light Division, throughout the remainder of the campaign and at Waterloo.

Colborne is mentioned frequently by William Napier and by other historians of the Peninsular War, but almost exclusively in connection with instances of brilliant leadership of troops in action in local conflicts. Some writers of memoirs and reminiscences add to such stories ardent expressions of their personal admiration of him, without providing a clear portrait.[1] This is partly supplied by his biographer,[2] and by William Leeke, the third of the officers of the 52nd who wrote autobiographical accounts of the regiment.[3] George Napier wrote of Colborne:

> He has, with the most intrepid bravery, a coolness of head in the very heat of action, which never fails him, and thus he penetrates with eagle eye into the enemy's intentions, and is sure to baffle his designs, when least expected. Nothing can take him by surprise or flurry him; and I am confident if Colborne was suddenly awoke out of his sleep and told he was surrounded by an enemy force treble his number, it would only have the effect of making him, if possible, still more calm and collected, and that, if it was possible for mortal man to get out of the scrape, he would.

An outstanding instance of his coolness is the story of his reconnoitring alone with his Brigade-Major, Harry Smith,[4] during the battle of Vera in 1813, while commanding a brigade of the Light Division. They suddenly found themselves in the presence of a force of 400 French troops. Colborne gave a hurried order to Smith to fetch reinforcements, walked quietly up to the French commander, demanded his sword, and engaged him in light conversation until Smith arrived with support and completed the enemy surrender. This and similar stories pro-

[1] 'Mildest, kindest, gentlest of human beings; clear-headed calm, vigorous in mind as he was strong in body, he was always my idea of a soldier.' Sir William Fraser on Colborne, in *Words on Wellington*, p. 189.

[2] G. C. Moore Smith, *Life of John Colborne*.

[3] *The History of Lord Seaton's Regiment*, by the Rev. William Leeke (1866).

[4] Later General Sir Harry Smith, K.C.B.

vide a background to the account of Colborne's astonishing achievement at Waterloo.

John Colborne's personality was unique in many ways, and particularly in being, in the language of modern psychologists, completely and smoothly integrated. Its basis was a very sincere, practical and intense religious faith. The wave of personal religion of an evangelical kind among Army officers which spread upwards socially during the War with France, from the earlier teaching and preaching of John Wesley and his converts, affected also many families and individuals among the wealthy and educated classes. Whatever may have been its origins and the nature of his first practice of it, John Colborne's religion was something very different in its outcome from the kind that is customarily known as 'evangelical'. It was seemingly a perfect blend of Christian discipleship and the realization of an intimacy and friendship with God such as was achieved by the Old Testament patriarchs. In it there was room neither for gloominess of thought nor consciousness of guilt. For Colborne, duty and service to men were synonymous with duty and service to God. Eagerness and zest are outstanding traits in the portrait of him which hangs in Apsley House, yet it is the portrait of a commander whom his staff knew they were liable to find on his knees in prayer.[1] We are fortunate in having a striking summary of his views on religion recorded in a document which he wrote for his son James, when the latter was a young soldier in 1835[2]:

> I must commence my memoranda by *intreating* you never to let a morning pass, nor a night, without prayer and reading some parts of the Old or New Testament. Not slothful in business, fervent in spirit, serving the Lord. This, condensed well, has much in it, and will lead to the study of Christ and study of yourself, which is the wisest preparative for all that may happen to us.
>
> Recollect that as you have chosen your profession, you must endeavour to acquire a perfect knowledge of every part of it, beginning with the minute details. The first elements of the drill, company's drill, and the manœuvres in the King's Regulations; and all the financial orders and the mode of conducting the interior economy of a regiment are easily comprehended and learnt. You should endeavour to make yourself also a good engineer and artillerist, and also fit for the Quarter-master General's department. All this you can readily accomplish (by proceeding gradually) with your knowledge of mathematics.

[1] G. C. Moore Smith, *Life of John Colborne*, p. 311.

[2] *Ibid.*, p. 268.

It is typical of Colborne's religious faith that these two paragraphs, dealing firstly with spiritual preparation and secondly with professional preparation for life, together form the first section of the 'memoranda'. Subsequent sections have the headings 'Classics' and 'Mathematics' and give advice on secular reading, the study of French, keeping accounts, etc. When he wrote these 'memoranda' Colborne was in Canada, where between 1828 and 1839 he served successively as Lieutenant-Governor of Upper Canada, as Commander of the Forces in Upper and Lower Canada, and eventually as Governor General. His skilful, tactful and humane handling of serious rebellion during this period is recorded as being a basic factor in the saving of Canada from permanent disintegration, and in the laying of the foundations of her firmly established unity.

In June 1814, at the close of the Peninsular War, Colborne was appointed aide-de-camp to the Prince Regent. The 52nd returned to England with Colborne in command, and landed at Plymouth on 27th July. He was almost immediately appointed Military Secretary to the Prince of Orange, who commanded the British Forces in the Netherlands. In the following January, for his services to the Prince, he was made a Knight Commander of the Bath. The regiment remained in various stations in the south of England while arrangements were made for its transference to America. It embarked and sailed twice, but storms necessitated its return to port on each occasion. Napoleon's escape from Elba provided a sudden change of destination. On 27th March 1815 it sailed from Plymouth under the command of Lieutenant-Colonel Charles Rowan, reached Brussels on 4th April, and became part of the hurriedly assembled allied army which Wellington had been appointed to command by the startled Congress of Vienna. Sir John Colborne rejoined the 52nd at Lessines in May, superseding Charles Rowan, who became his second-in-command.

The dramatic story of Wellington's preparations to meet the advance of Napoleon into Belgium and of the social activities of the hordes of fashionable non-combatants in Brussels where he had his headquarters has been told by many writers. This chapter is not an attempt to compile yet another short history of the Waterloo campaign, but to disentangle from the volu-

minous records of it those of one particular regiment and some of the officers who served in it. In this connection the fact can be mentioned that the name of only one of them, Colonel Charles Rowan, is on the list of some two-hundred-and-fifty distinguished guests who received invitations to the Duchess of Richmond's ball.[1] He owed his inclusion probably to his friendship with the young Earl of March, who was the Duke of Richmond's heir and in 1815 aide-de-camp to the Prince of Orange.

For much of what is known of the 52nd at this period and for some years later we are indebted to William Leeke. In 1815 he was a youth of seventeen with a strong aggressive, stubborn, extremely irritating but disarming and likable personality. He gives us a few details of his childhood and upbringing under the governance of an adoring widowed mother, the dangers of which he seems on the whole to have successfully resisted. An early desire to be a sailor was frustrated by his mother when an elder brother in the Navy was killed in action. William was then intended for the Church, but decided that he preferred Law, and suddenly in 1815, after listening to a long account of the glories of war from the lips of a young officer of the 51st who had served in the Peninsula, became very certain that a soldier's life was the one for which he was best suited.

Announcements of peace with America and of Napoleon's escape from Elba were published successively in the second and third editions of London newspapers on 1st March 1815. News of Napoleon's triumphant arrival in Paris followed on 30th March. William wrote to Sir John Colborne, to whom he was related by marriage, asking for an ensigncy in his regiment, and received no answer. A month later he wrote again. Colborne replied that he had nothing to add to a previous letter which he had written. Mrs Leeke then confessed that she had opened this one and had said nothing about it to her son on account of its distressing contents, which were instructions to William to deposit the purchase price of an ensigncy in the 52nd as soon as possible and come and join the regiment in Belgium immediately as a volunteer. He lost no time in doing so, successfully resisting tearful appeals from his mother and a hysterical scene staged by her at the door of his coach when he

[1] *Words on Wellington*, by Sir William Fraser, p. 260.

departed. He bought his uniform in London and reached Lessines and the regiment exactly five weeks and three days before the battle of Waterloo.

Joining a regiment as a volunteer, and as a method of securing a commission as an ensign, was an Army custom which seems to have originated during the Peninsular War and possibly earlier. A volunteer served in the ranks as a private soldier and carried a musket, but messed with the officers of his company. He wore officer's uniform, without epaulettes, and with silver or gold shoulderstraps for cross-belts. If William had waited for his commission instead of joining as a volunteer he would have been posted to the 2nd Battalion. In the circumstances of impending hostilities and of his having volunteered without waiting, Colonel Charles Rowan allowed him to have full status as an officer on his arrival. Colborne confirmed this concession when he rejoined and took command of the regiment three days later.

Leeke found that the strength of the regiment was 60 officers and 1000 other ranks. The officers messed in two separate rooms in a hotel at Lessines, and he gives some interesting details of the ragging to which a newcomer to the Army was subjected at that period. He soon learned that use of the words 'side' and 'behind' instead of 'flank' and 'rear' was dangerous in view of the mirth it aroused. On the subject of promotion he was frequently and solemnly assured that he had every chance of being made a field officer in the action that was impending, without realizing that this meant being killed and buried on the field of battle. He had taken the precaution of providing himself with a service canteen which contained two three-pint bottles of brandy. His early discovery that they were empty was very probably the direct consequence of his boasting on this and other subjects.

The line which Wellington formed at Waterloo after the defeat of the Prussians by the French at Ligny and his retirement from Quatre Bras on 17th June require no detailed description in these pages. The undulating ground which he selected provided him with the reverse slopes behind the crests of which it was his customary tactic to conceal his troops while awaiting attack in defensive actions. Both crests and slopes on

this occasion were much less steep than many accounts of the battle suggest. Another detail not usually mentioned is that the sodden state of the ground after the prolonged downpour on the night of the 17th greatly decreased casualties throughout the famous battle on the following day, Sunday 18th June. Great as these casualties were, they would have been infinitely more numerous, and possibly fatal to the allied army, if the softness of the ground had not prevented much ricochetting of French cannonballs and made harmless the explosions of many shells.

The Battle of Waterloo opened between eleven o'clock and noon with an attack on the farm of Hougoumont, on the right of the allied line, which was continued until seven o'clock in the evening. Elsewhere along the line during the morning and early afternoon all French attacks were repulsed, but with heavy cost in casualties to the defenders. There followed, from four to six o'clock, Ney's tremendous but strangely unsupported cavalry attacks on the right half of the line, between La Haye Sainte and Hougoumont, which the allied infantry mastered successfully by forming squares, in spite of further casualties and of the loss at six o'clock of La Haye Sainte, on account of exhaustion of ammunition by the troops who were defending it. Then, late in the afternoon, came for Wellington the crisis of the battle. All along the line his troops were weakening and showing signs of exhaustion. Ammunition was running short. Many of his generals and almost every member of his personal staff had been killed or wounded. All day he had ridden from place to place, scatheless in storms of bullets, cannonballs and bursting shells, wherever the fighting had been fiercest and wherever his personal encouragement had seemed to him to be required, and he faced now, completely unaware of what form it would take, what he knew must be Napoleon's final attempt at a master-stroke to crush him and save the day. For Napoleon also the early summer evening was the hour of crisis. Faced at last with definite news of the true facts of Prussian recovery from defeat and imminent reappearance on his right, he ordered up the veteran columns of the Imperial Guard and with them made his final bid for victory.

Being in ignorance of Napoleon's intentions throughout the whole of the brief Waterloo campaign, Wellington had kept

during most of the day of the decisive battle a strong force of British, German and Belgian-Dutch troops behind the right of his line and facing Hougoumont, to guard against a possible outflanking movement from that direction, and to hold the French in the event of a breaking of his line. In this reserve were three brigades of Sir Henry Clinton's division, one of which, commanded by General Frederick Adam, consisted of the 52nd Light Infantry, the 71st Highland Light Infantry, and six companies of the 2nd battalion and two companies of the 3rd battalion of the 95th Rifles. The 52nd was near Merbe Braine. In front of them and on their left, in its place in the line, was Maitland's brigade of two battalions of the 1st Regiment of Guards, the 2nd and 3rd, and farther in front of the 52nd and on its right was Byng's brigade, comprising the 2nd battalion of the Coldstream and the 2nd battalion of the 3rd Guards, occupying a slope in the line facing the farm of Hougoumont, which was bravely and successfully defended all day by their advanced light companies. After the failure of Ney's cavalry attacks in the afternoon Wellington moved forward part of his right-wing reserve. Adam's brigade led, and roughly in echelon took up positions in advance of, but between, the two Guards brigades which were in the line. This movement was believed to have been made for the purpose of flanking any further mass cavalry attacks on the line.

With the other regiments of their brigade the 52nd moved forward in squares and occupied in this formation the position to which they were sent, in which there was no cover and no crest of rising ground behind which they could shelter. The square of the 71st, near Hougoumont, was in front and to the right of the two squares in which the 52nd was formed. The 95th was in a single square behind and some distance to the left of the 52nd. For two-and-a-half hours the men in these four squares sustained unflinchingly but with serious casualties the concentrated fire from one or two French guns about half-a-mile in front of them, which ceased fire at intervals to allow charges against the squares by French cavalry. A single round-shot killed or wounded seventeen men in the 71st. The 52nd lost seven men by the fragments of one shell. Against steady musket fire, the French cavalry failed not only to breach but even to reach the squares.

Colborne and Rowan were together in the left square of the 52nd. Seeing the strain, the latter offered to go to the other, but Colborne bade him stay. Rowan asked, 'Do you think we can stand this?' Colborne replied that he could see that there was no real co-ordinated plan of attack. An aide-de-camp then arrived with an order, direct from Wellington, to retire. Colborne answered coolly that if the Duke believed the 52nd to be over-exposed he was mistaken, and ignored the order. Presently a threat to the flank caused by the Nassau Regiment's abandonment of the wood of Hougoumont made necessary some retirement by the 52nd. Colborne changed formation from squares to line and moved the regiment back to and over the crest of some rising ground in the rear, near Byng's Guards brigade, but still well in front and to the right of Maitland's brigade.

Half-an-hour later a deserter who was a French Cuirassier officer galloped up and over the slope in front of the 52nd shouting, 'Vive le Roi!' He approached Colborne and pointed excitedly to the left of the regiment's front, in the direction of the road leading to the captured farm of La Haye Sainte, and said that the Emperor was advancing there with the whole of the French Imperial Guard. Colborne listened to the deserter and sent him off to Wellington in charge of a sergeant. Soon shouts of 'Vive l'Empereur!' and drumbeats were heard on the left front. Without waiting for orders from anyone Colborne moved the 52nd forward in line over the crest and down the slope, and out on the open ground again, well ahead of Maitland's two Guards regiments on his left.

There is a tradition in the Rowan family that at this moment in the battle Colborne went forward alone in front of the regiment, leaving Charles Rowan to watch him and make, on seeing him drop his handkerchief, a pre-arranged movement of wheeling the whole regiment in line to face left. Colborne saw, from a ridge in front, the line of the French Imperial Guard column exactly where he expected it to be, some two hundred yards from him on his left, and gave the signal, knowing that he was taking the risk of exposing the regiment's right flank to cavalry attack. Rowan then gave the order to wheel, and it was carried out immediately. Colborne at once rejoined him.[1]

[1] Some confirmation of this story appears in *Field-Marshal Lord Seaton*, by G. C. Moore Smith, p. 406, in an extract from a letter written by Lord Seaton in

Skirmishers were sent out ahead of the four-deep line. An order to charge followed immediately and was obeyed with a loud shout and cheers from the men, who fired as they ran. They were into the flank of the leading portion of the enemy column before it could be given an order to form front facing left. It was instantly thrown into confusion and, retreating, threw into confusion also the remainder of the column. The 52nd allowed no chance of rally or further resistance, and in a few minutes, having no room or scope for manœuvre, the whole enemy column was in full flight.

The rout of the Imperial Guard column by the 52nd was the beginning of the end of the Battle of Waterloo. With rapidly increasing confusion the French armies went into hurried retreat as the recovered Prussians swept upon their right flank. Wellington's famous order and signal to the British line to advance did not result in its going very far immediately. Most of the exhausted regiments in the line came down the slopes from their positions and bivouacked for the night on the ground in front of them. Earlier, about twenty minutes past eight, while the 52nd was pursuing the routed Imperial Guard, Colborne made a short halt to dress the line, as he suspected that the Imperial Guard was attempting to make a stand. Wellington appeared suddenly beside him and called to him, 'Well done, Colborne! Well done! Go on, don't give them time to rally.' Colborne had intended no delay. The regiment advanced quickly, under fire, and an attempted stand by three squares of the Old Guard was of short duration.

Still in line, four deep, the 52nd continued the pursuit. At La Belle Alliance, which was a mile from the line position at Waterloo, the regiment found itself alone and ahead of all other allied troops, including cavalry. Some regiments of Vivian's

1843: 'Colonel Charles Rowan assisted in completing this formation, with whom I had some conversation on the intended movement and on the necessity of menacing the flank of the French columns.' Leeke, who was carrying the Regimental Colour, mentions that he missed the presence of Colonel Colborne but saw him again presently with his white handkerchief in his hand (vol. I, p. 47). Colborne with customary foresight and concern for detail had arranged that each man should carry 150 rounds of ammunition. In most other regiments at Waterloo the issue was 60 rounds per man (Leeke, vol. I, p. 12). Moore Smith states (p. 225) that the Brigade Commander, General Adam, rode up while the wheeling movement was in progress and asked Colborne what he intended doing. He replied, 'To make that column feel our fire.' Adam agreed, and was shortly after seriously wounded and carried off the field.

and Vandeleur's cavalry brigades appeared presently on the right of the Charleroi road, and the remainder of Adam's brigade, the 71st and the companies of the 95th which had followed the 52nd, were a short way behind them. William Leeke states emphatically that the regiments mentioned above were 'the only infantry which advanced that night beyond the low ground between the French and British positions at Waterloo'. The 52nd continued alone for three-quarters-of-a-mile beyond La Belle Alliance, and halted and bivouacked for the night at the farm of Rosomme. Three-quarters of an hour after their arrival there the Prussians appeared, having taken over the pursuit as the result of arrangements between Wellington and Blucher. They marched past with bands playing 'God Save the King', misjudged as an honour. The order for the regiment to bivouac at Rosomme was given to Colborne personally by Wellington, who asked if there was anything he could do for it. Colborne replied that a cask of biscuits would be very welcome and Wellington promised to provide one.

At Rosomme, when the 52nd had piled arms, a large fire was lit and the officers gathered round it discussing the day's events. The men lay down in column and a sergeant of each company called the roll. Left behind, either killed or wounded, were 206 officers and men. Ensign Leeke had survived unscathed and had carried the Regimental Colour all day. His colleague Ensign William Nettles, who had carried the King's Colour, was killed by a cannonball which passed through his body. Colonel Charles Rowan was among the missing, having fallen during the charge on the flank of the Imperial Guard. His brother, Brevet-Major William Rowan, asked Colborne's permission to go and look for him, and after a search during the night found him with other wounded officers of the regiment in a house at Waterloo, Colborne having earlier detached buglers and others to collect and care for his wounded men. The nature of Charles Rowan's wound is not definitely recorded but it was apparently not serious, as he was with the regiment again shortly afterwards and remained with it until 13th July, when he went on leave.[1]

The accuracy of some slight details of the above account of

[1] William Rowan is reported in some returns as having been wounded at Waterloo, but this is doubtful and probably the result of a confusion of names. Charles was a major and brevet-colonel. William was a captain and brevet-major. Leeke states: 'Colonel William Rowan was wounded in the elbow by a

the part played by the 52nd in the Battle of Waterloo may be queried but the main facts are undeniable and can be checked from many sources. Equally undeniable are the following facts of the part played by the two battalions of Maitland's brigade of Guards, which, it will be remembered, were in the line on the left of the 52nd when it first moved forward from reserve. When the column of the French Imperial Guard was first seen it was advancing directly on Maitland's position. The customary French method of attack was to advance in close column behind a wave of skirmishers, and it is almost certain that they were used on this occasion. Leeke states their presence and use as a fact. If he is right, this would account for the appearance of some men of the Imperial Guard on the slope below Maitland's two battalions, shortly before the first charge by the 52nd. At this moment Wellington appeared beside the 3rd battalion of the 1st Guards, which was on the left, and said, not 'Up Guards and at them', as was for a long time believed, but 'Stand up, Guards, and drive these fellows in'. If Leeke is correct in assuring us that these were Wellington's words, they seem to confirm the fact that the enemy ascending the slope were skirmishers, and not the main column of the Imperial Guard. There is no uncertainty or room for conjecture about the immediate sequel, which no historian has denied, or can deny. The 3rd battalion of the 1st Guards charged down the slope and hastily returned to their position behind the crest, 'in some confusion'.[1] The 2nd battalion never moved, for the very good reason that they had no ammunition. Both battalions then remained in their positions on or behind the slope while the 52nd charged, routed and pursued the Imperial Guard, and, after Wellington's signal and order to the whole line to advance, descended the slope and bivouacked for the night, as other regiments did, on the more open ground below it, while the Prussians took over the offensive.[2]

shot which passed through his horse's neck and killed it, bringing its rider heavily to the ground' (vol. I, p. 38). This is probably what happened to Charles Rowan. William's wound, if he received one, must have been very slight in view of his all-night search for his brother.

[1] Words used by Maxwell and other writers who give similar accounts of the action.

[2] It is unnecessary to rely on the many additional statements made by Leeke, without confirmation by other writers, including reports of conversations with Guards officers, one of whom said that he and others had watched the attack and victory of the 52nd, which had done 'magnificently, as they always do'.

The above accounts of what happened at the moment of crisis in the Battle of Waterloo are a necessary prelude to some consideration of what is surely one of the strangest mysteries in British military history. Modern writers are in agreement in abandoning the claim that the British Guards won the battle by routing the French Imperial Guard. Most of them have excused themselves from attempting to elucidate the truth, and some have referred to various ingenious suggestions by earlier writers to the effect that the Imperial Guard may have advanced in two or more columns, or in squares in echelon, which were routed respectively by the 52nd, the British Guards and other regiments to the right of them. The simple truth is revealed less clearly by accounts of what happened during the battle than by some strange events which followed it in England and in Paris.

CHAPTER VIII

PARIS—AND AFTER

THE 52nd Light Infantry was kept continuously in the forefront of the advance into France in the days which followed. In the absence of Sir Frederick Adam, Colborne commanded the brigade, and Wellington allowed its three regiments the honour of being the only British troops to enter Paris. They marched down the Champs Elysées to what is now the Place de la Concorde and to the Tuileries with bands and bugles playing, while the rest of the army remained camped in the Bois de Boulogne. The brigade camped in the Champs Elysées and remained there for nearly four months. Two companies of the 52nd had the honour of being a guard at Wellington's residence near the Place Louis Quinze. Wellington's marked partiality for the regiment and what can be called his petting of it at this time throw an interesting light on his personality.

During the first days after their arrival in Paris officers and men of the 52nd lived in happy confidence in themselves, as the consequence of their achievements, and in confident anticipation of the recognition these were likely to be given by high authority and their fellow-countrymen at home. From the other units in France Colborne and his officers were hearing every day praise of their own and their regiment's exploits, and Wellington's marked honouring of it made the fact of his high regard unmistakable. Presently newspapers carrying accounts of the reception in England of news of the Battle of Waterloo arrived in Paris. There was not a single mention in them either of the 52nd or of its achievements.

Wellington's despatch to Earl Bathurst, which was dated 19th June 1815 and is known to have been written in Brussels, is one of several mysteries. The background of the writer's outlook which inspired and influenced his account of the battle can never be wholly known or understood.[1] He may have

[1] 'Depend upon it, Waterloo has a long story of treachery and secret politics

visualized himself as addressing an audience consisting primarily and almost exclusively of the rulers and ministers of Europe, and he may have decided for that reason to limit strictly to his army as a whole praise for what had been accomplished. This does not explain his subsequent sustained silence on the subject and life-long refusal, even in old age, to discuss the battle. It was the only one among all his victories whose details he consistently declined to discuss when questioned.

In his despatch he did not even mention the Imperial Guard by name, and its attack on his weakened and almost open right-centre at the critical moment of the battle he briefly summarized in a few words which were written in continuation of an account of Ney's earlier and successfully resisted cavalry attacks[1]:

> These attacks were repeated till about 7 in the evening, when the enemy made a desperate effort with cavalry and infantry, supported by the fire of artillery to force our left centre near the farm of La Haye Sainte,[2] which after a severe contest, was defeated; and having observed that the troops retired from this attack in great confusion, and that the march of Gen. Bulow's corps, by Frishermont, upon Planchenois, and La Belle Alliance, had begun to take effect, and as I could perceive the fire of his cannon and as Marshal Prince Blucher had joined in person with a corps of his army to the left of our line by Ohain, I determined to attack the enemy, and immediately advanced the whole line of infantry, supported by the cavalry and artillery. The attack succeeded in every point; the enemy was forced from his positions on the heights, and fled in the utmost confusion, leaving behind him, as far as I could judge, 150 pieces of cannon, with their ammunition, which fell into our hands.

The phrasing of these sentences and of those that follow repays study:

> I continued the pursuit till long after dark, and then discontinued it only on account of the fatigue of our troops, who had been engaged during twelve hours, and because I found myself on the same road as Marshal Blucher, who assured me of his intention to follow the enemy throughout the night.
>
> It gives me the greatest satisfaction to assure your Lordship that the army never, upon any occasion, conducted itself better. The division of Guards under Lieut. General Cooke, who is severely wounded, Major General Maitland and Major General Byng, set an example which was followed by all; and there is no officer nor description of troops that did not behave well.

attached to it, which will not be made known in our day, if ever.' Sir William Napier, *Life and Letters*, edited by H. A. Bruce (1862).

[1] *The Dispatches of Field-Marshal The Duke of Wellington*, vol. VII, p. 149.

[2] Captured earlier by the French.

In the whole of Wellington's despatch no regiment is mentioned individually in connection with the Battle of Waterloo. The 28th, 42nd, 79th, 92nd and a battalion of Hanoverians are named in an account of earlier operations at Quatre Bras. The account of Waterloo names individuals, mostly generals, who distinguished themselves, and one of these is Major-General Adam. In the light of the true facts of the last phase of the Battle of Waterloo which have been recorded in these pages and are substantiated basically by innumerable other writers, further effort to seek explanation of the substance of Wellington's despatch is futile. It is the first of a series of very curious events.

The effect of the despatch on the officers of the 52nd when they read it in Paris can be imagined. Stranger news soon followed. The newspapers described all England acclaiming with joy, which they shared and emphasized, the announcement that the Battle of Waterloo had been won by Maitland's two battalions of the 1st Guards, who had saved the day by gallantly charging and completely routing the veteran Grenadiers of Napoleon's Imperial Guard. Earl Bathurst, who was Minister for War, had stated this as a fact in Parliament on 23rd June, after receipt of Wellington's despatch, in the following words[1]: 'Towards the close of the day, Bonaparte himself, at the head of his Guards made a desperate charge upon the British Guards, and the British Guards instantly overthrew the French.'

The *Gazette* of 29th July carried the announcement:

> His Royal Highness has been pleased to approve of the 1st Regiment of Foot Guards being made a regiment of Grenadiers, and styled the '1st or Grenadier Regiment of Foot Guards', in commemoration of their having defeated the Grenadiers of the French Imperial Guard upon this memorable occasion.

It may be safely assumed that it was not Wellington's despatch alone that misled the Government and the Court, although it certainly tended to confirm false information which must have been supplied to them from other sources. The most regrettable feature of the whole affair is the subsequent suppression of the true facts when they eventually became known, and the silence concerning them, in which Wellington, Byng and others shared throughout their lives. In this connection, the fact that

[1] *The Times*, 24th June 1815.

there was a prejudice in the minds of many soldiers of high rank against the Moore-inspired Light Infantry regiments should not be overlooked.

The news that the 1st Guards had been given, and were shamelessly accepting, the honour of being the heroes of Waterloo was a severe blow to the pride of the officers of the 52nd in Paris. The full force of it was concentrated on Colborne, and his personal reaction provides much of the present writer's pleasure in recording the events which led up to it. The following story told by Charles Rowan to Colborne's daughter, Lady Montgomery-Moore, was retold by her many years later.[1] In Paris one day, after receiving the news from England, Colborne's officers were gathered round him, expressing loudly and emphatically their sense of grievance and injustice. He listened to them for some time without response and then firmly silenced them. 'For shame, gentlemen!' he exclaimed suddenly, in a speech of which the opening words alone have been exactly recorded. 'One would think you forgot that the 52nd had ever been in battle before!' He pointed out to them the need for absolute silence on the subject of their grievances, which was dictated by their own sense of honour and by the obligation to preserve their own honour and dignity and that of the regiment. This view and ideal which he presented to them roused and inspired them. For many years thereafter, to keep silence on the subject of the occurrences at Waterloo was a custom in the regiment which every serving officer took pride in maintaining.

The 52nd remained in camp in the Champs Elysées and as guard at Wellington's residence until November 1815. Charles Rowan went home on leave on 13th July and returned on 8th November. Sir Frederick Adam returned at this time and resumed command of the brigade, and Colborne left on leave and on a prolonged tour of the Continent from which he did not return until 1818. During all this time Charles Rowan commanded the regiment. It left Paris for Versailles on 2nd November 1815, moved to St. Germain a few weeks later, and spent the following three years in various places in the north of France. From Leeke's description of mess life at this period horsemanship, athletic games, shooting and hunting seem to

[1] G. C. Moore Smith, *Lord Seaton*, p. 235, and regimental tradition.

have been the principal interests of the officers. There are occasional slight references to drinking and gambling but there is no mention of duelling. The regiment embarked for England at Calais on 28th November 1818 under Colborne, who had rejoined it four months earlier. It was the last regiment of the Army of Occupation to leave France.

William Leeke's book, *Lord Seaton's Regiment*, is a massive production which repays reading as a revelation of its author's personality, apart from the interest and value of its pages as social history. Its two large volumes, published in 1866, carry two closely intermingled themes. One is a full history of the achievements of Leeke's regiment at Waterloo. The other, equally detailed, is the history, step by step, over a period of years, of the author's metamorphosis from a worldly, pleasure-seeking ensign of seventeen into a strict and aggressive young evangelist who, while still an ensign in his early twenties on account of the stagnation of promotion after Waterloo, proceeded to reform the behaviour, habits and language of his brother-officers and of the men of his regiment. The publication of his book in his later life aroused storms in military circles. In 1871 he added a thin supplementary volume which gives all the arguments used against his claims on behalf of the 52nd, together with his replies. Impartial judgment by modern readers cannot fail to be in his favour.

Leeke left the Army in 1824, while he was still an ensign, went to Cambridge in preparation for the Ministry, and thereafter, as a clergyman of the Church of England, found wider and more satisfying scope for his aggressiveness and his religious views in the front line of the campaign for the maintenance of Sabbath Observance and in other strenuous evangelical activities. What is quite clear in his long account of himself as a young soldier is the strange fact that he was never unpopular in the regiment. Equally certain are his efficiency as a soldier and the kindly tolerance and apparent respect with which both his fellow-officers of all ranks and his men regarded him. His bumptious aggressiveness seems to have been balanced by a childish naïveté which disarmed them, as it does the reader of his life-story.

William Leeke's limitations are revealed by the narrowness of both his religious and his military outlook. In his summary

of the history of his regiment before he joined it he seems unaware of what Sir John Moore did for it, and numerous mentions of Colborne and of Charles Rowan, who were Leeke's commanding officers throughout his service, show that he was blind to the higher qualities of their personalities. Few of his references to them are of much value in helping the understanding of either of these two men. Of Colborne, although he was a relative, Leeke had little personal experience except at Waterloo, and for a few months in France, but one story which he records has a significance of which he is unaware.

On their way to rejoin their regiments in France after Waterloo, a small party of men of various units became drunk one evening and one of them, a private of the 52nd, swore at the officer in charge, in response to an order which he had given. The officer, who was not of the 52nd, drew his sword and struck the delinquent, cutting his shoulder. He was later court-martialled for striking this blow and honourably acquitted. In due course the papers of this court-martial came before Wellington, who at once ordered the erring private of the 52nd to be brought before a general court-martial and charged with mutinous conduct. He was found guilty and sentenced to be shot.

The officers of the 52nd were angered by this sentence, which shows that the effect of Moore's influence on the regiment had not been wholly lost, in spite of Craufurd's fierce handling of it. Colborne represented his officers in an interview with Wellington, which Leeke witnessed at a slight distance, but he was too far away to be able to hear the respective arguments which were exchanged. 'The Duke,' he wrote, 'who generally appeared to be a person of very quiet demeanour, seemed to speak on this occasion with some considerable earnestness, and Colborne, who was most anxious, as we all were, that the man's life should be spared, was equally energetic. The conversation did not last more than seven or eight minutes, and I did not learn the result until the order for the execution appeared in orders.'[1] It is regrettable that Leeke was unable to hear what was said. The Duke was unyielding, but Colborne, unknown to himself at the time, had won. Next morning the whole brigade was marched to a place outside the walls of Paris

[1] Vol. I, p.170.

and formed into a single large square, with a firing-party and the prisoner and his open coffin inside it. When the charge and the findings of the court-martial had been read, one of the Duke's aides-de-camp rode into the square with a pardon.

The interest of this story is its link with the subject-theme of these pages, and, particularly, with Wellington's views on discipline in contrast with those of Moore. Both believed in and advocated the principle of prevention of crime. Moore was convinced that flogging, hanging and shooting as punishments for trivial offences could be made unnecessary if officers sought and secured by their behaviour the respect, approval and affection of their men by making personal contact with them, caring for and protecting them, and learning to understand them individually. The correctness of this view, which is unquestioned today, was warmly denied by Wellington, who knew Moore's theory but believed that crime could be prevented and flogging and hanging made unnecessary only by maintaining the constant fear of brutal punishment. He argued on many occasions that this must always be used from time to time on account of the value of its visible effects, and pleaded forcefully that its elimination would make impossible the maintenance of discipline in an army. In a letter to Castlereagh after the battle of Oporto he remarked: 'The army behave terribly ill. They are a rabble who cannot bear success any more than Sir John Moore's army could bear failure.' Much of the hostility to Moore's idea of disciplinary reform was due to widespread belief that they were the cause of all the disorder and insubordination on the retreat to Corunna. Wellington's best-known biographer supports this view[1]: 'If the sternness of Wellington's discipline inspired his officers and soldiers with dread, rather than with the affection they had borne to the gentler Moore, at least it averted the calamity of insubordination which had so grievously augmented the suffering during the retreat to Corunna.'

The fallacy and blindness of this reasoning can be seen in the fact that the only troops in his army who had an affection for Moore were his Shorncliffe regiments which were his rearguard and fully proved the value of his system of training by their consistent and outstanding good behaviour and effectiveness. The rest of his army was made up of half-trained, recruit-filled regi-

[1] Maxwell, *Life of Wellington*, vol. I, p. 200.

ments in which neither officers nor men knew Moore or had any affection for him.

Wellington believed that officers must secure and maintain order and discipline in a regiment by making their men fear them. Moore believed that more perfect and enduring order and discipline could be achieved by the exercise by officers of behaviour calculated to make their men respect and like them. Through the medium of Charles Rowan, one of the young officers whom he personally trained and instructed, this conception had unexpected results in civil administration in Britain, far beyond the confines of the limited sphere of Army organization for which it was originally intended.

Of Charles Rowan there are frequent mentions in Leeke's history, but these, with two outstanding and valuable exceptions are only records of various small kindnesses shown to Leeke by Rowan. For three years after its return to England in 1818 the regiment was stationed in various places in the Midlands. During this period large-scale riots were steadily increasing in frequency and severity, and, as was declared by Cabinet Ministers at the time, in menace to the State. In the total absence of police, other than helpless parish constables, the military weapon was authority's only means of law-enforcement, and this was rapidly and alarmingly becoming blunted by the disgust with which both officers and men were regarding the use that was being made of them.

Leeke obtained leave and travelled on the Continent, where he contracted a severe illness which hastened the course of his long spiritual pilgrimage. He makes no mention of the regiment having been in action in riots, but it is likely to have had some experience of these, sectionally or otherwise, as its eight companies were for some time widely separated. Charles Rowan seems to have commanded it during most of this period, and it is certain that his experiences of hunger-inspired disorder caused by the severe economic sufferings and destitution of the working classes in England had a lasting effect on him. Moore's influence and early training of him; the contrast of his subsequent successful service under Craufurd as Brigade-Major and Assistant Adjutant-General; his staff and other close contacts with Wellington; the effect on himself and others of the events of and following Waterloo; and his three years in contact with

the suffering workers in the Midlands are all clearly discernible links in the chain of his preparation for the strange police task which lay ahead of him.

In 1821 the regiment was moved to Dublin, where William Leeke rejoined it. He admits feeling that there was 'something very formidable' in his doing so, in view of the intentions which were the outcome of his strengthened views on religion, but he found on his arrival a close ally in a fellow-officer, Captain Gawlor, another young veteran of the Peninsula and Waterloo, who had distinguished himself on many occasions and was now, as Leeke had been told in a letter from another officer, 'making a great cake of himself, converting the men'. Gawlor and Leeke soon joined forces in this connection. There was a community of evangelicals among the officers of the Dublin garrison and elsewhere throughout the Army, and the gentle but stubborn efforts of Leeke to reform conversation and language in the mess together with his activities with religious tracts among the men, were accepted without undue resentment. This is explained perhaps by the fact, recorded by Leeke, that he and Gawlor always 'met with the greatest kindness from Sir John Colborne and Colonel Charles Rowan'.

When Leeke was on guard duty one evening the Adjutant, Winterbottom,[1] when visiting him 'expressed alarm at finding the post well supplied with tracts, and the members of the Guard reading them'. 'Leeke,' he said good-naturedly, 'you are ruining the regiment.' Leeke said that religion could be seen clearly to improve men both as soldiers and as individuals, and records himself, smugly, and in accordance with his usual custom, as having had the last word.

Under the command of Lieutenant-Colonel Charles Rowan the 52nd took a prominent part in the festivities which accompanied the visit of George IV to Dublin in 1821. He reviewed in Phoenix Park all the troops of the garrison, and a

[1] John Winterbottom was the son of poor parents in Yorkshire whom, as a boy, he assisted by weaving. In 1799, at a time of great distress among the weavers, he enlisted in the 52nd. He was made sergeant-major in 1805, and given a commission in 1808. He was a lieutenant and adjutant throughout the Napoleonic wars, and was wounded at Redinha, Badajoz and Waterloo. He was always treated with respect by his brother-officers of all ranks, several of whom, including George Napier, made extremely warm and affectionate mention of him in written recollections. He died of fever in the Barbados in 1838 while on service with the regiment.

few days later, at his own request, reviewed again, but alone, the 52nd and the 43rd, which were together once more in Dublin. That Leeke's reputation as a competent soldier was not affected by his evangelical activities is indicated by his having been allowed to command his company on this important occasion, in the absence of its commander, without having a senior lieutenant from another company put over him. He records the fact with pride, and as an illustration 'that when a man becomes truly anxious to serve God, he is not thereby the less fitted for the life and duties of a soldier'.

The two stories about Charles Rowan in Leeke's book which are of special interest and value cover incidents which occurred in 1821. The first occurred in Phoenix Park while the regiment was drilling. Ensign Leeke, in the rear of his company marching in line, perceived the centre approaching a muddy pool, eight yards wide, into which several sewers emptied themselves. He ordered the men in whose path it lay to break line and file round it, which was a courageous deed, in view of the fact that to keep perfect formation at all times in face of any but a wholly insurmountable obstacle was one of the regiment's most highly cherished traditions. The cost to any privates who maintained it on this occasion would have been mud-blackened and wet, white trousers. Leeke records with customary smugness: 'Colonel C. Rowan, who saw some confusion in the company but could not see what had occasioned it, came thundering down, exclaiming, "What *is* No. 8 about?" I called out from the rear, "*I* desired them to file round the obstacle, Sir." This barely satisfied him, for he was vexed at the apparent confusion. . . . The Officer commanding the company afterwards thanked me for taking upon myself the blame which was intended for it.' It is curious that this is the only mention of Rowan in military memoirs that indicates his possession of stern as well as gentle qualities.

The other story about Rowan is given in connection with Leeke's only reference to duelling in his long narrative. A sensation was caused among the officers of the Dublin garrison by the outcome of an incident which occurred one evening when a Major Oliver of the artillery was on his rounds as field officer of the day. A naval petty officer had improperly handed over a civilian to a Sergeant's Guard for some alleged offence. In his

report on the affair Major Oliver accused the sailor of having been drunk. Later the captain of the vessel in which the sailor served accosted Oliver in the street and called him a liar. Hearing of this, the General in Command expressed his desire that Major Oliver would not challenge the captain to a duel, a procedure on which Oliver had no intention of embarking, on account of his strong religious views. For refusing to issue a challenge he was sent to Coventry by his brother-officers of the artillery.

With his customary conscientious ardour Ensign Leeke hurried to his support, accosted him, ostentatiously insisted on walking down Sackville Street with him, and resisted all kindly intentioned efforts by Oliver to shake him off. Leeke was firmly reproved for his folly by other officers of the 52nd, and there were long and animated discussions in the mess, to which he contributed with vigour full details of the religious arguments against duelling. After one of these occasions, as he was leaving the mess he found his Colonel at his side. 'I believe, Leeke,' Charles Rowan told him, 'you are quite right in the views you have been upholding, but I think a man holding such views should not remain in the Army.' The sole comment of the irrepressible and unsnubbable ensign to whom the words were addressed is: 'He would not have added this last sentence at a later period of his life, when it pleased God to lead him, as a poor sinner, to trust in the atoning death of Christ for the pardon of his sins, and to walk, under the influence and guidance of the Spirit and Word of God, in holiness and peace.'

Charles Rowan may or may not have been aware of anything illogical in his statement about duelling. A few months later, on 26th April 1822, for reasons which are unrecorded, he retired from the Army by sale of his commission.[1]

For seven years, from 1822 to 1829, there appears to be no trace of Charles Rowan in records of any kind, with the exception of a letter written by him to William Napier,[2] whom he knew intimately, which provides a closer view of Charles Rowan than has so far become available. It was written shortly after the publication of the first volume of Napier's *History of the War in the Peninsula*, in which the author's description of the Corunna

[1] War Office Library Records.
[2] Oxford and Buckinghamshire Light Infantry Museum, Oxford.

campaign silenced effectively and permanently the unjustified and disparaging criticisms of Moore's abilities and achievements which were still current at the time of the book's appearance. The letter is stamped with a small, round, lightly pressed embossed seal, which has the name 'Bath' in the centre and, in a circle, some small undecipherable words which seem to include 'London' and 'Cornhill'. The hand-written address and date are 'London, June Fifth, 1828'.

Lieut.-Col. Napier,
Battle House,
Bromham,
Devizes.

My dear Napier,

It was only yesterday that I learned your address from Cork whom I met accidentally, otherwise I should long ago have permitted myself the pleasure of heartily congratulating you on the well-merited success of your book. I have read it with a degree of interest and of satisfaction greater than I can tell you—I had permitted myself, I suppose from mere weakness, at various times, to be biassed by the opinions of others as to the merits of Sir John's retreat, and it always made me unhappy and uncomfortable when I did so. He had been such a friend to me, and I had formed such an opinion of him.

By telling you now the honest truth on reading your book, you will, perhaps, be inclined to undervalue my manhood, but you will, I hope, be charitable for the sake of the immediate cause. The simple fact is that at the distance of twenty years I literally cried like a child with pleasure at the complete and triumphant vindication of that dear man's measures. This avowal would no doubt raise a smile of pity if not of contempt from many, for such weakness, but I hope it will not in you.

I sincerely trust that the forthcoming volumes may equal the sample you have given us of your work, in which case my very humble opinion is it will be a classical and scientific study for all future generations.

I shall not occupy your time by giving you any accounts of any criticisms I have heard upon it, and which, of course, every work must be subject to, nor in which of them I might be inclined in some degree to concern myself. These however can only relate to mere trifling points. It is on such alone that most men can presume to give any opinion on the first perusal of such a work, for to comprehend the scientific part, or, I should rather say, to be able to pronounce judgement on that, requires no trifling study. Having added that I think the narrative the most clear and perspicuous that I have ever read, and having asked to be forgiven for presuming to offer you my opinion at all, (which I merely do for the pleasure it gives myself as an old *fellow soger*, as John Brown calls it), again, having neither place nor pension to give me that I know of, I subscribe myself, My dear Napier, Ever Sincerely yours,

C. Rowan.

Part of the significance of this letter is its indication that in the year 1828 William Napier's book had actively stimulated in Charles Rowan's mind thoughtful, and, to some extent, emotional recollections of his early experiences and training under Sir John Moore.

PART II

CHAPTER IX

PEEL LOOKS FOR A POLICEMAN

A FUNDAMENTAL curiosity of the personality of Peel is the combination of absence of imagination and intense and almost morbid sensitiveness which can be clearly discerned in it. Most of the constructive plans and achievements for which he is deservedly famous originated almost wholly in the minds of others. Where he was unsurpassed among the leaders of his time was in his courage in pursuing what he was convinced was right, when this was clear to him, and in sacrificing self-interest and even party supremacy, when these were seen to be the unavoidable costs of refusal to yield to the narrow dictates of political expediency. He is rightly credited with immense practical ability, which is abundantly evidenced in his achievements in connection with legal and, particularly, administrative reform, and for reform of the Civil Service, but no biographer of Peel has so far succeeded in explaining satisfactorily the strange and sometimes startling contrasts of strength and weakness, vision and blindness, which can be seen to thread the detailed pattern of all that he planned and accomplished. They are probably largely the consequence of his extreme, introspective sensitiveness, which in spite of sincere and deeply hidden religious faith revealed by his private letters, hampered his mind and often his relationships with colleagues and friends throughout his life.

Peel's strange limitations and addiction to untimely hesitations are nowhere more startlingly manifest than in the story of his handling of police reform. The interesting detail of his activities in this connection has been consistently neglected by his biographers. The much-maligned Prime Minister, Lord Liverpool, appointed Peel as Home Secretary, in place of Sidmouth, with the difficult task of securing power from Parliament to create police in London, as a first step towards their establishment elsewhere throughout the country. It was a

decision to which the Tory Cabinet was reluctantly forced by events. One outstanding consequence of the economic dislocation which followed the Napoleonic Wars was the menace to the existence of all authority, due to the absence of any effective means of securing observance of laws. The complete breakdown in London of the old parish-constable system had spread to all parts of the country. Hunger-driven rioters in the provinces were showing an increasing willingness to engage and fight with troops sent to disperse them. The four to five hundred casualties of the charge of the 15th Hussars at the 'Battle of Peterloo' at Manchester had unexpected repercussions among the educated classes. The threat of mutiny in the Guards on the occasion of Queen Caroline's return had inspired a strongly worded memorandum from Wellington to the Cabinet demanding the establishment of a Police Force in London, 'without a moment's delay'. Crime, riots and crime-industry in London were increasing and becoming uncontrollable.[1] Closely accompanying these events was the growth of hostility to the idea of establishing police, which spread formidably in the early decades of the nineteenth century from its insincere, industrial opponents to men of good-will in all classes who genuinely believed, with the example of France before them, that police of any kind were synonymous with tyranny and the destruction of liberty.

Peel took office as Home Secretary in 1822. His immediate effort in January of that year to establish police and his severe rebuff by a Police Committee in the following March[2] reveal him as remarkably unaware of the strength of the hostility to the idea that was felt in Parliament and throughout the country, and there is clear proof that he consistently failed to gauge and understand it throughout his later years in office. The Criminal Law Reformers in Parliament secured the sympathies of all advocates of social reform with the plea that all that was necessary for solving the problem of crime and disorder was humane laws, basing their argument apparently on an absurd assumption that laws were self-enforcing. The lone voice of

[1] During the extraordinary riots in London in 1815 the helplessness of authority allowed the West End to be in complete control of small dispersed parties of rioters, not exceeding fifty in number, for three days, during which many houses, including those of some of the Ministers, were looted and burned. *Annual Register*, 1815, Chronicle, pp. 19-23. [2] See p. 28 *supra*.

Romilly in the House of Commons, revealing the scandal of the existence of 223 crimes for which hanging was the penalty, and seeking its abolition in cases of the theft of a pocket handkerchief of the value of one shilling, and of goods to the value of five shillings in a dwelling-house, became, after his death and the picking up of his torch by Mackintosh, the clamour of a powerful and influential faction. The ardent faith which its members and their sympathizers in both parties had in the self-sufficiency of law led them to oppose fiercely the creation of police, on the ground that police would be unnecessary if laws were humanized. Both inside and outside Parliament, the Criminal Law Reformers received much powerful and flattering support which was not all inspired by concern for suffering humanity. Henry Fielding and Patrick Colquhoun, who developed and expanded Fielding's police ideas and premises, were certainly the most practical and far-sighted social reformers of their times. Social reform was their primary interest and concern, but they were alone in seeing and revealing the fact that for social reform, police reform was a preliminary and absolute necessity, as without it social reform laws could not be enforced.

After his rebuff in 1823 Peel had the wisdom to wait quietly for some years until he had consolidated his power in Parliament. In the meantime, with customary single-minded pursuit of right and reason, he secured the passage of a number of measures which embodied many of the proposals of the Criminal Law Reformers, who were mostly Whigs, and to some extent paved the way for police, by legal reforms which were expected to ease court and other difficulties for them when they were established. In 1828 he realized that he had at last sufficient control of votes in both Houses of Parliament for the attainment of his police objective. He induced a Committee, whose members were carefully chosen, to recommend the creation of an Office of Police, under the immediate direction of the Home Secretary and in charge of specially appointed magistrates who would have no bench duties. These magistrates were to have 'general control over the whole of the Establishments of Police of every denomination, including the Nightly Watch',[1] and they were to be made responsible for the whole of the Metropolitan area. On this Report Peel based his Metropolitan Police Bill

[1] Parliamentary Reports, vol. VI, of 1828.

of 1829. It contained little that had not been envisaged earlier in Pitt's Police Bill of 1785, and in the later Bill, drafted for him by Colquhoun in the seventeen-nineties, which was never presented to Parliament.

Peel's 'Bill for Improving the Police in and near the Metropolis' received royal assent on 19th June 1829. Some features of it and its passage require special mention and emphasis. In a speech supporting it which Peel made in the House of Commons on 20th May 1829 he said that 'he apprehended that the general feeling of the metropolis and its vicinity was in favour of the Bill',[1] a belief which was soon proved to have originated in an astonishing ignorance and miscalculation of public opinion. Another curious fact is that the Whigs in Parliament quietly allowed the Bill to pass through both Houses without a division and with only mild opposition in debate, although the Whig Party had strenuously opposed the establishment of police for nearly a century, particularly throughout the preceding two decades. The cause of their acquiescence on this occasion was Peel's clever handling of them by means of a tactical bargain. They were close political allies of the City of London. Peel controlled a majority Tory vote in Parliament, but he wanted to secure some semblance of unanimity in the matter of establishing police. He casually announced his intention of creating a Police Force for the whole of London, knowing that this would arouse consternation and anger in City circles. To the remonstrances which he expected he replied blandly that he would exclude the City from the scope of the Bill if the Whigs agreed not to oppose its passage.

Also of interest is the fact that no attempt was made in the Bill to envisage the kind of police which the Home Secretary was to be given powers to create. He was to have authority to appoint 'two fit persons as justices of the peace . . . to open a new police office in the City of Westminster . . . for the more efficient administration of the police'. The area of the jurisdiction of the 'justices' was defined, and they were empowered to enrol men to serve as constables under their orders, all their activities in this connection being strictly subject to the Home Secretary's approval. Powers of arrest and of releasing accused persons on bail were very vaguely and only generally defined.

[1] Parliamentary Debates, 1829 (20th May), 1487.

The justices were authorized to take over the existing policing of the Parishes and all other areas within the Police District, and to demand by warrant to the Overseers of the Poor 'of every such parish, township, precinct or place a part of the proceeds of the poor rate not exceeding eightpence in the pound'. This money was to be payable to an official who was to be known as 'the Receiver for the Metropolitan Police District', and was to have certain defined powers and responsibilities regarding the finance, buildings and other property of the police. Of the nature and organization of the Police Force which was to be established, almost nothing was envisaged in the Bill apart from the statement that the men 'shall be sworn in by one of the said justices to act as constables for preserving the peace, and preventing robberies and other felonies, and apprehending offenders against the peace'.

Apart from a short-lived and unsuccessful attempt by Cromwell to transfer it to the Army, local control of policing had been a cherished tradition in English community life since Saxon times. Although improved communications and the great increases in the population of the towns had made total local control anachronistic, and although Pitt had earlier envisaged transference of parish control of police to a central control in London, these facts do not excuse Peel's blindness to the inevitable consequences of the high-handed manner in which he brought this into being. That he had no clear ideas regarding the nature and organization of the 'New Police' which he planned, and that he failed to foresee the troubles which his negligence and hesitation in this connection ensured for others is fully revealed by some recently discovered facts and correspondence which follow.

When the Metropolitan Police Bill passed through the House of Commons in April 1829, but before it had passed through the House of Lords, Peel gave his attention to the finding of suitable men to be 'Justices' or Commissioners, as they were presently called. He soon found that this was not only a difficulty but a problem. The following two letters throw some light on the state of his mind in this connection at the dates on which they were written[1]:

[1] *Murray Papers*, vol. 174, pp. 128 and 130, National Library of Scotland, Edinburgh.

Lieut.-Col. A. Wedderburn[1] to Lieut.-Col. Rowan,
the United Services Club.

Sir, Downing Street, 2nd May, 1829.

I am directed by Sir George Murray to acquaint you, in reply to your letter of this day, that if the appointments under the new Police Bill are, as you suppose, to be allotted to military men, he will have great pleasure in mentioning your name to Mr Peel.

Sir, Downing Street, 4th May, 1829.

With reference to my note of the 2nd, Sir George Murray desires me to acquaint you that he lost no time in speaking to Mr Peel, but was told by him that he had not yet made up his mind in regard to the description of persons who would be employed under the new Police Bill.

Nearly a month later, on 29th May, Peel wrote to William Gregory, who was Under-Secretary for Ireland and his intimate friend[2]:

Sir Robert Peel to Mr Gregory. Private and Confidential.

I have completed a work which has given me great trouble, but which was absolutely necessary, the annihilation of the parochial watch of the Metropolis and the environs; and has given power to the Secretary of State to re-organize on a very intensive scale a new system of Police.

It has occurred to me that if there were a military man conversant in the details of the police system in Ireland, he might possibly be usefully employed here. But then, he must be a very superior man to what I recollect of Police Magistrates in Ireland. Tell me in strict confidence what is the character of the people now employed there.

I require a man of great energy, great activity both of body and mind, accustomed to strict discipline and with the power of enforcing it, and taking an interest in the duty to be assigned to him. Then he must be a gentleman and entirely trustworthy.

Do not mention this matter to anyone, but tell me, first, whether you think £800 a year and perhaps a residence would tempt one of the Irish Magistrates to accept the office, and, secondly, whether you have any man in Ireland who would exactly suit my purpose.

There will be a force of between two and three thousand men ultimately under his command. With the soldier I would unite a sensible lawyer as the other magistrate. Write to me as soon as you can.

This letter seems to suggest that Peel intended to select the two Commissioners personally and privately, without consulting his colleagues. It was natural that he should turn first to the Irish Police, which had been his own creation, in 1814, when

[1] Private Secretary to General Sir George Murray, Wellington's Quarter-Master General in the Peninsula, and Secretary of State for the Colonial Department, 1828-30.
[2] Scotland Yard Library.

he was Chief Secretary for Ireland, and that he should expect to find a candidate among the paid magistrates who were appointed in connection with what was called his 'Irish Peace Preservation Force'. It was not a successful venture, but some outstanding faults were remedied by an Act of 1822, as the result of which the Police Force which later became The Royal Irish Constabulary was first consolidated and firmly established. The men were uniformed in green coats and trousers, with shako caps, and armed with flint-lock carbines. It was a military police force, stationed in barracks and commanded by provincial Inspector-Generals. Closely connected with it were a number of stipendiary magistrates who were appointed by the Lord-Lieutenant in Dublin. The final improvements which in course of time enabled the Royal Irish Constabulary to secure the high regard in which they were held were inaugurated in 1836 by Thomas Drummond, who was then Under-Secretary, but one of their functions, which was declared as such in the confidential handbook issued to all ranks as recently as 1911,[1] was 'to punish crime'.

Peel's hopes of finding among the stipendiary magistrates of Ireland one of the men whom he required were not fulfilled and he seems to have abandoned his efforts in this direction. On 25th June 1829 he wrote a long letter to Lieutenant-Colonel James Shaw,[2] who was then in Manchester. What led him to seek this officer's services so flatteringly and temptingly is unknown[3]:

Private. To Lieut.-Col. Shaw, Manchester.
My dear Sir,

An Act has lately been passed for the Improvement of the Police of the Metropolis.

By that Act the Secretary of State is empowered to appoint two Magistrates, whose particular duties are defined in the Act, of which I enclose a copy.

For one of these appointments I mean to select a Military man, and my intention is to take that Officer whom I believe to be the best qualified to discharge the confidential and very important duties which will devolve upon him.

I will not make the offer to anyone without first ascertaining whether

[1] Scotland Yard Library.

[2] He was originally in the 43rd Light Infantry, and was the aide-de-camp who was with Craufurd when he fell at Ciudad Rodrigo. Shaw fought at Waterloo and later took the name Shaw-Kennedy.

[3] British Museum, Peel Papers, 40399, f. 262.

you are willing to accept it. If you are, I shall have the greatest pleasure in nominating you, and you will possess my entire confidence.

The salary, as you will see by the Act, is £800 a year. If you should accept the appointment I would name you the first of the two Magistrates, and I trust, as it will be manifest for the Public Interest that the Chief Magistrate should be constantly on the spot, I could make an arrangement by which, in addition to the salary, apartments could be allotted to you in the house destined for the office.

Your military rank would proceed, and I am confident the Commander of the Forces would entirely approve of an Officer of distinction acting in this capacity. I fear the half-pay would, by some recent regulations, be suspended during the continuance of the appointment.

Pray turn these matters in your mind, and let me hear from you as soon as you conveniently can. As the experiment is a novel one, and the undertaking arduous, there will I think be a great opportunity for distinction, and the Office will become more important every day.

As legal advice on many points might be very desirable, my inclination is to select a Barrister for the other Magisterial Office. As you will perceive by the Act, the law makes no distinction between the functions of the two Magistrates.

It will at once appear to you that at the outset when the New Police force is to be organized, the exertion requisite will be unremitting and severe. If you are not disinclined to the undertaking on other grounds, I earnestly hope that the state of your health is not such as to deter you from it.

I have written in great haste, but I trust I have said enough to give you a tolerably accurate view of the nature of the Appointment. I think if a Military man is at the head of the Office, he would be consulted by the Horse Guards on all points relating to the public peace in the Metropolis which can be connected with the employment of a Military force.

I have, etc.,

Robert Peel.

Offering him the Appointment of First Magistrate under the Metropolitan Police Act.

Colonel Shaw sent by return the following brief refusal, for which he offered no reasons[1]:

Sir, Manchester, 29th June, 1829.

I have the honour to acknowledge the receipt of your letter of the 25th instant.

The situation of Magistrate under the new Police Act for which you so kindly offer to nominate me, I beg to decline.

Permit me to assure you, with the greatest possible sincerity, that I feel most highly gratified and flattered by the kindness of your letter.

I have the Honour to be, Sir,

Your most faithful servant,

J. Shaw.

[1] British Museum, Peel Papers, 40399, f. 269.

Peel must have appointed Charles Rowan as Commissioner immediately on receipt of Shaw's refusal of the office. This is shown by the following letter which Peel wrote on 7th July to Earl Rosslyn, the Lord Privy Seal, in reply to a request from the latter to find employment in the police for a military acquaintance[1]:

Dear Lord Rosslyn,

I have not proceeded further with my New Police arrangements than to appoint the two Magistrates.

I have on the Recommendation of the highest Military Authorities taken for the Military Magistrate Colonel Rowan of the 52nd Regt., who I am told brought that Regt. to the highest state of discipline. The two Magistrates after considering the matter are to submit to me a detailed plan for organizing the Police.

I shall be glad if there is an opportunity of employing Lieut. Col. St. Clair, but I should rather fear that the subordinate situations in the Police would not suit an Officer of his rank, and that the duties attached to them would not be very agreeable.

However I will keep myself free from all engagements until I have the plan before me.

I am, etc.,

Robert Peel.

This letter clarifies some of the erroneous assertions regarding the origin of the police which have been made by many historians and biographers of the nineteenth century and later. Peel's words show clearly, and further detailed proof follows, that the organization of the Metropolitan Police was made not by Peel or by Wellington but by Charles Rowan, and his colleague Richard Mayne, his junior by fourteen years. Mayne was in 1829 a young Irish barrister from Dublin who was making a name for himself on the Northern Circuit in England. The following letters throw light on the circumstances of his appointment by Peel[2]:

(16) Mitre Court,
Wednesday ¼ past 4.

My dear Mayne,

Since I wrote my note to Mr Peel, I have had some conversation with him; he seems strongly impressed with the nature of your qualifications for the office, and said that, of all the names mentioned to him, yours was decidedly the best. He has not however as yet decided upon any of the appointments, as he has many schemes floating in his mind, and will pro-

[1] British Museum, Peel Papers, 40399, f. 280.
[2] Scotland Yard Library.

bably require some little time to mature his plans. You may depend upon my keeping your interests in mind, and in the meantime I shall not mention the subject to any one.

I am expecting, (name illegible), and some other Circuiteers to dine with me on Saturday at ½ before seven, and it will give me great pleasure if you will join the Party.

ever yours truly,
W. Gregson.

William Gregson was a barrister and was, also, an Under-Secretary at the Home Office. The next letter illustrates interestingly Peel's resistance to patronage as the current, customary system of making Government appointments, and his new methods which eventually earned for him the deserved reputation of being the founder of the modern Civil Service:

Thursday,
7 o'clock.

My dear Mayne,

I saw Mr Peel in the street this morning, and he told me that he had referred to Tindal about you, but that the new C.J. informed him that his acquaintance with you was too slight to enable him to give any opinion as to your competency etc., tho' he admitted that what he *did* know of you was favourable. Mr P. asked me to whom he should refer for information respecting you, and I told him, to Mr Justice Parke, to Brougham or to [name illegible]. Would it not be prudent to apprise these individuals of the probability of their being applied to by Mr Peel? You see that he is losing no time, and I hope that it will soon be settled in your favour.

ever yours truly,
W. Gregson.

Richard Mayne, Esq.,
(1) Elm Court,
Temple.

Sunday, July 5, 1829.

Mr Peel presents his compliments to Mr Mayne and will be much obliged to him to call upon Mr Peel at his house in Whitehall Gardens tomorrow morning at eleven o'clock.

With these letters is the following appended note in Richard Mayne's handwriting:

On Sunday, July 5, I received a note from Mr Peel desiring me to come to him next morning. I saw him on Monday, at his house, when he said that he was going to appoint two persons to organize and direct the new Police, that he had sent for me to offer one of these places to me, that if the place suited my views he was happy in offering it. I accepted the appointment with acknowledgments for the handsome manner in which it was given, and same day was introduced to Lt. Colonel Rowan, my coadjutor, by Mr Peel at the Home Office, Whitehall.

We commenced operations immediately.

This terminates my course at the Bar.

The date on which Rowan and Mayne first met was 6th July 1829. That Peel gave them orders on the same day to prepare and submit to him 'a detailed plan for organizing the Police' is shown by his letter of 7th July to Lord Roslyn. A subsequent letter from him to Rowan and Mayne shows that they must have made the plan and secured Peel's approval of it in the course of a fortnight:

Whitehall, 20th July, 1829.

Gentlemen,

I have had under my consideration your statement respecting the Establishment, which in your opinion, will be necessary for the Metropolitan Police Office, and also as to the Police Force, which you consider requisite for carrying into effect the Metropolitan Police Act, within that portion of the Metropolitan Police District, which is first to be subjected to the operation of that Act.

And I have now the satisfaction to signify to you my approval of your arrangements, and to sanction your commencing the New System of Police, with such an Establishment and Force as you have proposed, viz:

Office Establishment	*Police Force*	
One Chief Clerk	8	Superintendents
One Second Clerk	20	Inspectors
One Third Clerk	88	Sergeants
	895	Constables
Receiver's Office		
One Chief Clerk		
One Second Clerk		

Robert Peel

It will be noticed in Peel's letters that he refers successively to Rowan's post as being that of 'Chief Magistrate', 'First Magistrate' and 'Military Magistrate'. Throughout the whole of his police service Rowan was frequently referred to as the 'Senior Commissioner', in spite of his repeated and emphatic representations that as 'the Commissioners' he and Mayne were equal in rank, status and authority, and in every other official respect. The statements which have been made to the effect that Peel selected Rowan and Mayne because he had noticed their good work in Ireland when he was Chief Secretary from 1812 to 1818 are disproved by dates. Throughout that period Rowan was on service and could have visited Ireland only when he was on leave. Mayne was a schoolboy and a young student at Trinity College, Dublin. The additional assertion that Charles Rowan was a stipendiary police magistrate in Ireland is probably wrongly based on the fact that an elder brother,

Hill Wilson Rowan, held office as such in the eighteen-twenties and thirties.[1]

Peel deserves unstinted praise and credit for his foresight, courage and determination in inaugurating the Metropolitan Police, but the unique organization, principles and values of the institution which were later copied throughout the country, and to a large extent throughout the Empire, were certainly not his creation. Many of Wellington's biographers have claimed for him the credit of creating and organizing the 'New Police'. That he had little or nothing to do with this work is evidenced by a letter which Peel wrote to him on 5th November 1829.[2]

> I am very glad indeed to learn that you think well of the police. It has given me from first to last more trouble than anything I undertook, but the men are gaining a knowledge of their duties so rapidly that I am very sanguine of the ultimate result. I want to teach people that liberty does not consist in having your house robbed by organized gangs of thieves, and in leaving the principal streets of London in the nightly possession of drunken women and vagabonds.
>
> The chief danger of the failure of the new system will be if it is made a job, if gentlemen's servants, and so forth, are placed in the higher offices. I must frame regulations to guard against this as effectively as I can.

These are admirable sentiments, but what they reveal is that Peel was already losing touch with the outlook and difficulties of the Commissioners. The chief danger of failure which the Commissioners were facing at the time was drunkenness among their men. There were many helpful regulations which Peel could have framed, but he declined the Commissioners' appeals to him to do so, especially in connection with innumerable difficulties caused to them by the absence of a definition of their authority. It was not until 10th December 1829 that he met them on the subject of appointments to the police and promotions. Until then their making was officially a Home Office function. Peel ordered it to be transferred to the Commissioners, reserving for the Home Office only right of approval.

[1] There is no mention of Charles Rowan in R.I.C. records of magistrates, in the Home Office in London, or in the Public Record Office at Dublin, and there are good reasons for believing that there are no R.I.C. records elsewhere. There is also no mention of him in a large number of Irish Directories covering the period, which are preserved at the Dublin Record Office.

[2] Wellington, *Supplementary Despatches*, vol. VI, p. 287.

That the plan mentioned in Peel's letter to Lord Rosslyn was compiled by Rowan and Mayne and accepted by him is proved by the correspondence quoted above and by the following statement which was made later by Rowan, when giving evidence before a Police Committee in 1834:

'*Everything that has been done since the commencement has originated with the Commissioners; the whole of the organization has been made by them alone.*'

The detailed plan was printed in the form of a small handbook entitled *General Instructions* which was issued to all ranks of the police when they assumed duty in 1829.[1] It consists of two sections. Part I covers details of organization and rules regarding conduct and behaviour. Part II is a detailed analysis, with guidance, of the legal powers of policemen. The handbook was reprinted, and reissued on 13th January 1836, with the addition of a third section, Part III, which is a selection of important police orders made by the Commissioners between September 1829 and May 1835.[2] With the exception of a few unimportant words in a paragraph of the first issue which are omitted from the second, Parts I and II in both editions are identical.

At first sight, style of writing and subject matter indicate that Parts I and II of the handbook are, respectively, the work of Rowan and of Mayne, and the truth of this is confirmed by other documents. In the library at Scotland Yard there are two unbound proof copies of the 1829 issue. One carries a few slight pencilled corrections in Rowan's handwriting. The other has similar additions in Peel's. A paragraph in Part II on the subject of a policeman's powers of arrest in cases of assault is severely pencilled in both proof copies. It is printed in the issued handbook in amended and different form, but other proof copies appear to have been given to the Press before this was done. On 26th September Samuel March Phillipps, Under-Secretary of State at the Home Office, wrote on the subject to Peel[3]:

> The publication of the Regulations was very much to be regretted. For they were in a very new state, and required amendment. That passage, which you notice, in pp. 50 to 51 is strikingly wrong. I men-

[1] A copy is in the Library at Scotland Yard.

[2] The only copies of the 1836 issue which appear to be in existence are with the Chadwick Papers, in University College Library, London, and at Scotland Yard.

[3] British Museum, Peel Papers, 40399, f. 350.

tioned it yesterday to Mr Mayne who drew up that part of the Instructions. It is now altered. When you read up [*sic*] your copy with your remarks, a correct copy shall be immediately printed. There have been no more printed yet.

This note proves that Mayne 'drew up' the second, or legal, part of the *Instructions*. A close study of the first part makes the fact that it was the work of Rowan unquestionable. Every page, almost every paragraph, contains, ingeniously adapted, the *Military Training* and *Moral Training* ingredients of Sir John Moore's Army plan at Shorncliffe in 1803, when Rowan was a young lieutenant in the 52nd.

It should be remembered that Charles Rowan, who acquired his police appointment at the age of forty-six, had had no public school or University education. His life since the age of fourteen had been spent almost entirely in barracks, in camps and in the field on active service. He had no experience whatever of Government administrative service in London, of the despicable party political intrigues with which it was riddled at this period, and of the pettiness and meanness of the tactics with which political warfare was conducted. He had no experience either, except in his connections with Moore and Wellington, of the Press and of the British public in action in political warfare. Both he and Richard Mayne were almost unknown in political, administrative and influential social circles. Charles Rowan's equipment for his almost impossible task was his possession of genius-inspired personality, of a kind that can always be seen to be capable, by its strength and consistency of purpose alone, of controlling and mastering a hostile environment.

When Rowan received Peel's order to make and submit a plan for police, there were three institutional forms of these available from which he could have sought inspiration, apart from the old and useless Parish Constable system, the Bow Street Runners and Patrols, and the handfuls of paid constables who were employed at the stipendiary magistrates' courts in London. The oldest large and functioning system was that of the *gendarmerie* police of the Continent, which Fouché had developed in France into the tyrannical, early-totalitarian police of that country. There was the military Irish Constabulary system. In Scotland there were rudimentary paid County Police

Forces which had been authorized and created by an Act of 1724 shortly after the Jacobite Rebellion of 1715, and three better organized Forces which were established respectively in 1800, 1805 and 1811 in the cities of Glasgow, Edinburgh and Perth. Rowan discarded all these forms and built the 'New Police' institution of London almost exclusively on Moore's ideas.

All laws are valueless that cannot be enforced. The power and sustained existence of authority of every kind that is known in history and at the present day has depended, and will always depend, not on the nature of its laws and the forms of its law-making machinery but on its possession of effective means of securing observance of its laws, whether these are weak, foolish or tyrannical, or the finest ever devised by the wit and skill of man. Rowan's conception of police law-enforcement machinery was, and is, something new and unique in history. The theory that crime and other forms of breach of law can be controlled more effectively by benevolent prevention than by repression originated before Moore's attempt to make practical application of it in the Army. Rowan gave infinitely wider scope to it, visualizing prevention as being, if used practically and scientifically, superior in effectiveness not only to repression but also to detection. Neglect of this essential of his principles accounts for much that is amiss in police administration in Britain today.

As officially published and printed in 1829 the plan, Part I of which Rowan made for Peel, opens with the following powerfully stated, concise paragraphs:

INSTRUCTIONS

The following General Instructions for the different ranks of the Police Force are not to be understood as containing rules of conduct applicable to every variety of circumstances that may occur in the performance of their duty; something must necessarily be left to the intelligence and discretion of individuals; and according to the degree in which they show themselves possessed to these qualities and to their zeal, activity, and judgement, on all occasions, will be their claims to future promotion and reward.

It should be understood, at the outset, that the principal object to be attained is the Prevention of Crime.

To this great end every effort of the Police is to be directed. The security of person and property, the preservation of the public tran-

quility, and all the other objects of a Police Establishment, will thus be better effected, than by the detection and punishment of the offender, after he has succeeded in committing the crime. This should constantly be kept in mind by every member of the Police Force, as the guide for his own conduct. Officers and Police Constables should endeavour to distinguish themselves by such vigilance and activity, as may render it extremely difficult for any one to commit a crime within that portion of the town under their charge.

When in any Division offences are frequently committed there must be reason to suspect, that the Police is not in that Division properly conducted. The absence of crime will be considered the best proof of the complete efficiency of the Police. In Divisions, where this security and good order have been effected, the Officers and Men belonging to it may feel assured that such good conduct will be noticed by rewards and promotion.

Next come two series of numbered paragraphs with the headings 'Local Divisions' and 'Police Force' respectively:

Local Divisions

1. *The Metropolitan Police District will be formed into Police Divisions.*
2. *That part of the District which is at present under the charge of the Police Force, in the first instance, comprising a large proportion of the town, is formed into five Divisions.*
3. *The number of Men and Officers, and the constitution of the Force, are the same in each Division; but in laying out the Division, attention has been paid to local and other circumstances determining the number of men required; the superficial extent varies in the several Divisions, and consequently that portion of each which is committed to the care of one man.*[1]
4. *Each Division is divided into eight Sections.*
5. *Each Section into eight Beats.*
6. *The limits of each of these is clearly defined; each is numbered, and the number entered in a book kept for the purpose.*
7. *Each Division has an appropriate local name, and is also designated by a letter of the alphabet.*

[1] The Divisional areas were calculated according to a rough estimate of the prevalence of crime in each; the areas where crime was most prevalent being the smallest Divisional areas, they had consequently no connection with parish boundaries, a fact which provided the Commissioners with a valuable weapon in argument against later vestry demands for control of police.

8. *There is in every Division a Station or Watch-house, placed as conveniently for the whole, as may be, according to circumstances. From this point all the Duty of the Division is carried on.*
9. *The men belonging to each Section shall, as far as may be found practicable, lodge together near to the place of the Duty, in order to render them speedily efficient, in case the services of such as are off Duty should be required for any sudden emergency.*

POLICE FORCE

1. *The Police Force consists of as many Companies as there are Divisions, one Company being allocated to each Division.*
2. *Each Company is formed as follows:*

   Superintendent,
   Inspectors,
   Serjeants,
   Police Constables.

3. *The Company is divided into sixteen Parties, each consisting of one Serjeant and nine men.*

   Four Serjeant's parties, or one-fourth part of the Company, form an Inspector's party.
4. *The whole Company is under the command of the Superintendent.*
5. *Each Man is conspicuously marked with the letter of his Division, and a number, corresponding with his name in the books, so that he can at all times be known to the public.*
6. *The first sixteen numbers in each Division denote the Serjeants.*
7. *A Police Company is attached to the Office of the Commissioners, for the duty in the immediate neighbourhood, and is also applicable to general purposes.*

It is not difficult to discern in this part of Rowan's plan his conception of his Police Force as a regiment, and his clever adaptation of regimental organization to the demilitarized requirements of civilian police. At the beginning of the nineteenth century the words 'companies' and 'divisions' of a regiment were almost synonymous. The latter word is no longer used in regiments. The former is no longer used by the police. For the ranks of Captain or Company Commander, Lieutenant and Private, Rowan adopted the titles Superintendent, Inspector and Constable. The whole system of sergeants' parties of nine

men, each on a beat, with Inspectors linking them to Superintendents at Divisional or Company Headquarters, is clearly a simple adaptation of Moore's 'outpost' plan for Light Infantry, in which a division or company formed a line of outlying sentries, based on pickets under sergeants, linked with Company Headquarters and with each other by officer and non-commissioned officer patrols.

The two sections of the *General Instructions* which follow have the headings 'Conditions' (of service in the police) and 'Outline of General Duty'. The first covers terms of enlistment and details regarding obedience to orders, care of uniform, lodgings and pay. A constable's weekly pay was nineteen shillings, with no charge for uniform. He was later given twenty-one shillings, from which two were deducted weekly as payment for uniform. The latter section defines the organization of duties for all ranks covering a period of twenty-four hours.

The headings of the remaining sections of Part I are 'Superintendent', 'Inspector', 'Serjeant' and 'Police Constable'. Some extracts from these are of special interest:

Superintendent

He will be responsible for the general conduct and good order of the Officers and Men under his charge. He should make himself well acquainted, by frequent personal intercourse, with the Inspectors and Serjeants, and through them with the character and conduct of every Man in the Company under his orders; he will be firm and just, at the same time kind and conciliatory towards them, in his behaviour, on all occasions.

He will take care that the Standing Orders and Regulations, and all others given out from time to time, are promptly and strictly obeyed. Much must be done by himself, and under his own immediate inspection. And as he will be held responsible for the general performance of the duties of the police, within his own Division, he must give clear and precise instructions to the Officers under him. . . .

It will be expected that he should at all times be able to furnish the Commissioners with particular information respecting the state of every part of his Division.

The special value of these words of Rowan's is their connection with the respective, conflicting views of Moore and Well-

ington on the subject of Army discipline. Moore believed that company commanders in a regiment should have considerable power and authority delegated to them from regimental headquarters, and that they should, as officers, be made the basic units for the inculcation of a new form of discipline based on a new and intimate relationship between officers and men. Wellington disliked this idea immensely and advocated, as a necessity for the maintenance and improvement of discipline, not only retention and expansion of the existing gulf between commissioned officers and men, but development and increase of the powers and authority of non-commissioned officers, whom he called 'the backbone of the British Army'. As the result of his long and intimate experience of both these conceptions, Rowan adopted what was best and of highest value in each of them. He used Moore's idea of what should be the relationship between commissioned officers and men almost in its entirety, notably in the words 'firm and just, at the same time kind and conciliatory', and decided also that the men best suited for the equivalent of commissioned-officer rank in the police should be selected sergeants and sergeant-majors of the Army, pending the time, which he foresaw, when experience would provide from the ranks of the police men competent to fill all vacancies elsewhere. He may have been influenced by Moore's custom of making all officers drill in the ranks with the men, an idea which was anathema to Wellington. By way of testing the value of his experiment, Rowan appointed two ex-regular commissioned officers as Superintendents. In contrast with the outstanding success and popularity with the public of nearly all the others, both were failures. In all these ideas of the best means of officering and making promotions in the police, Rowan had the warm support of Peel.

In the section on the 'Superintendent' the theme of the Preventive Principle is repeated:

In watching the conduct of loose and disorderly persons, and of all persons whose behaviour is such as to excite just suspicion, he will keep in mind, that the prevention of crime, one great object of all his exertions, will be best attained by making it evident that they are known and strictly watched, and that certain detection will follow any attempt to commit a crime.

In subsequent sections Inspectors are told to make themselves 'well acquainted with the talents and general character of each individual' among the men under them. Two long paragraphs among those under the heading 'Serjeant' deal with his duties in arranging those of his men on beats, and suggest again the influence of Moore's 'outpost' system. Instructions that the Serjeant will be 'civil and attentive to every person, and render every information and assistance in his power, when required' anticipate some others in the last section, 'Police Constable', which are the keystone of Rowan's whole conception of police; the turning of Moore's idea of the ideal relationship between officers and men into a vision of what should and could be the relationship between policemen and the public. The Constable is told:

He will be civil and attentive to all persons, of every rank and class; insolence and incivility will not be passed over. . . .

He must be particularly cautious not to interfere idly and unnecessarily; when required to act he will do so with decision and boldness. . . .

He must remember that there is no qualification more indispensable to a Police Officer than a perfect command of temper, never suffering himself to be moved in the slightest degree, by any language or threats that may be used; if he do his duty in a quiet and determined manner, such conduct will probably induce well-disposed by-standers to assist him should he require it.

Rowan cannot have foreseen in 1829 the full extent of the growth that was presently to spring from the seed he was sowing: police power which is unique in history and throughout the world because it is derived not from fear but almost exclusively from public co-operation with the police, induced by them designedly by behaviour which secures and maintains for them the approval, respect and affection of the public.

Part II of the *General Instructions* defines the legal powers of a Constable, which were derived from common law and various Acts of Parliament. Although it is obviously written by Mayne, whose legal knowledge is clearly its inspiration, it repeats the theme of Prevention, but with curious wording, which reveals some lack of understanding on the part of Mayne

of Rowan's conception of this great principle. Later evidence tends to prove that in spite of his warm affection for Rowan and intimate friendship and shared sufferings with him, Mayne never fully understood his older colleague's vision and ideas. It is curious that the author of the following sentences in Part II was a lawyer: 'As it is more important to prevent and punish the commission of great crimes than of lesser offences, the constable has a greater power in cases of felonies than in those of mere misdemeanours. But the first duty of a Constable is always to *prevent* the commission of a crime.' Punishment of crime has always been the function and prerogative of the courts and never of the police.

Part III appears only in the 1836 edition of the *General Instructions* and tabulates the more important General Orders issued between 1829 and 1835. Rowan's concern with the establishment of the ideal of police behaviour which was his aim is shown by the fact that fourteen per cent of these deal with the subject. The following are examples:

September 29, 1829. *Police Constables . . . are particularly cautioned not to pay attention to any ignorant or silly expressions of ridicule that may be made use of towards them personally, all of which they must feel to be beneath their notice.*

October 17, 1829. *Some instances of rudeness on the part of individuals of the Police towards persons asking them civil questions have been reported to the Commissioners of the Police. The Commissioners therefore call upon the Superintendents to instruct their officers and men.*

June 3, 1830. *The Commissioners have to draw the attention of the whole Force to the frequent recurrence of charges of* 'obstructing police officers in the performance of their duty'. *The Commissioners wish to discourage this practice, and expressly state, that the Police Constable is not authorized to take anyone into custody without being able to prove some specific act by which the law has been broken. No Constable is justified in depriving anyone of his liberty for words only, and language, however violent, towards the Police Constable himself, is not to be noticed; the Constables are particularly cautioned not to answer angrily, or enter into altercation with any person while on duty. A Constable who allows himself to be irritated by any language whatsoever shows that he has not a command of his*

temper, which is absolutely necessary in an officer invested with such extensive powers by law.

August 21, 1830. *The Constables are to recollect upon all occasions, that they are required to execute their duty with good temper and discretion; any instance of unnecessary violence by them, in striking a party in their charge, will be severely punished. A Constable must not use his staff because the party in his custody is violent in behaviour or language. The Constables are not to use a language towards parties in their custody calculated to provoke or offend them; such conduct often creates a resistance in the party, and a hostile feeling amongst the persons present towards the Constable.*

September 21, 1830. *The Commissioners take the occasion again to warn the whole of the Police Force on the subject of the most perfect civility at all times being shown to the public, of whatsoever class, as any man who acts otherwise cannot be allowed to remain in the Force.*

October 19, 1830. *It is particularly desirable that individual Police Constables, when walking along the streets, should not shoulder past respectable people, but give way in a mild manner; the more respectful and civil the police are upon all occasions off duty, the more they will be respected and supported by the public in the proper execution of their duty.*

October 26, 1830. *The people should be treated with good humour and civility, and no severity used, except in cases of the utmost necessity.*

November 1, 1830. *The Commissioners think it right again to caution every man in the Police Force, at a time when an attempt is made to create a strong prejudice against them, that they should do their duty with every possible moderation and forbearance, and that they should not furnish a just ground of complaint against themselves by any misconduct.*

July 16, 1831. *The Commissioners feel it necessary again to call the attention of the Inspectors on duty at the Stations to the orders repeatedly given respecting the treatment of parties coming on business to the Station-houses. The Inspectors may rest assured that whenever it should appear that there has been a want of calmness and propriety of manner by them, and of utmost civility to all persons, the Commissioners will mark by severe punishment their sense of so great misconduct.*

CHAPTER X

CHARLES ROWAN AND RICHARD MAYNE

DURING the summer months of 1829 Peel held meetings with Rowan and Mayne at which the 'plan' was discussed and practical shape was given to its proposals. Of what occurred at these meetings no record has survived, but some chance comment by Croker and Rowan reveals the blankness of Peel's mind on the subjects of the functioning, and even of the appearance, of the policemen whom he was seeking to create. Croker seems to have taken a lively but short-lived interest in the project, and to have offered some suggestions and criticisms to Peel regarding the dress of policemen and their pay. The editor of the *Correspondence and Diaries of John Wilson Croker* records[1]: 'The uniform was at first intended to be of red and gold, but blue was fortunately chosen instead.' This seems to indicate that the brilliant idea of making the police non-military both in character and appearance was of the nature of an afterthought. Rowan said later in evidence which he gave before a Police Committee[2]: 'There was a discussion with the Secretary of State whether they (the New Police) should put on a uniform or not. The question was discussed at great length, and the advantages and disadvantages of the two systems were weighed; it was thought more desirable that they should be in uniform.'

It is unfortunate that the originator of the famous top hat and tail-coat ensemble is unknown. Whatever else may have been a result of these conferences, it is certain that what was done at them was of much less consequence for Rowan and Mayne than what was left undone. Peel's carelessness in evading decisions which were both necessary and important is inexplicable. The only excuse that can be found for him is his possible assumption that he had before him a long period of office as Home Secretary during which the two Commissioners would

[1] Vol. II, p. 17, 1884 edition.
[2] Select Committee on Policemen as Spies, 1833.

always have his support and power of action. The cost to them of his indecision was a mass of trouble which he unwittingly prepared for them. In the following year sudden loss of office deprived him of all power of assisting them.

Peel's greatest injustice to the Commissioners was his piling of responsibility on them without defining their status and authority. They were ordered to demand and remove from the vestries all parish constables and watchmen, and all vestiges of parish control of police. With regard to the other slight forms of police in London, the Commissioners were not given the Bow Street Court 'Runners', the Thames Police founded by Colquhoun, or the handful of paid constables at each of the stipendiary magistrates' courts, but Peel did not hesitate to announce his ultimate intention of placing all these under Metropolitan Police control, and, as a beginning, the entire Dismounted Patrol of the Bow Street Court was arbitrarily transferred to and amalgamated with the New Police in 1829. Peel made the new Commissioners responsible for the preservation of peace and order and the control of crime and riots in the whole of the Metropolitan Police area, which included Bow Street and the other courts. He ignored the fact that he was transferring high-handedly to two new officials of unknown and undefined status and authority what had been for centuries the duties of bench magistrates, particularly that of taking control in the streets of all counter-action when riots occurred. The doyen of the magistrates in London was the Chief Magistrate of Bow Street, whose office carried with it a knighthood, an annual salary of £1200 and clearly defined duties of attendance, in uniform, on the King on State occasions, with a bodyguard of two men. The new Police Commissioners were allowed a salary of only £800 and were given no ceremonial status of any kind. Peel would not even allow them to have a uniform, for any occasion, but he gave them duties which usurped the powers of the Chief Magistrate and others and was adamant in refusing to give a ruling that on occasions of riots the magistrates were to take orders from the Commissioners or that these were to take orders from the magistrates.

Peel was apparently blind to the fact that he was menacing the age-long responsibility of magistrates for the maintenance of peace and order, and doing so in a manner which could not

fail to infuriate them. The Commissioners were left alone to face the magistrates' wrath, and, as will be seen presently, the unscrupulousness of the means they found for expressing it. The two most serious problems which Peel created by his methods of establishing the New Police were, firstly, the question of the extent to which police should be under central or local control, or under both; and, secondly, the extent to which judicial authority should control the executive duties and functioning of police. The first of these two problems, on account of the persistent evasion of it by successive Governments for more than a century, has been allowed to produce the amorphous confusion of undefined central and local control in which police administration finds itself today. In striking contrast, the second problem was soon faced and solved by the need for ending the confusion which Peel created. What presently ensued was the long-established, amicable recognition and smooth adjustment of the separate functions of the judicial and executive branches of Law, but much strife, confusion and suffering preceded its coming.[1]

Peel is responsible also for outstanding defects in the economic shape of the New Police Force which caused lasting trouble to the Commissioners. It was decided that police recruits must be healthy and strong, and under the age of thirty-five, able to read and write, not less than five feet seven inches in height, and able to produce recommendations from individuals of good social standing. On the subject of the low rate of pay which was offered to them Croker wrote a long and animated letter of protest to Peel on 28th September 1829.[2]

Dear Peel,

Having my pen in my fingers to write an address to you, I cannot refrain from saying that I find a general opinion prevailing that your policemen are not paid sufficiently. Three shillings a day for men capable of even *reading*, to say nothing of *understanding* and *executing* the printed instructions seems wholly inadequate. Every artisan has five shillings a day, and can you have higher and more laborious duties done for (considering the deductions) about one-half the rate of a common workman's wages? . . .

The carpenter or mason who earns 5s. a day does so by about ten

[1] These remarks apply to the relationship between the two branches in England only. Smooth adjustment is still sadly lacking in Scotland.

[2] Croker, vol. II, p. 18.

hours work, and with liberty to live where he pleases, with occasional holydays, the society of his family, the enjoyment of his club, the periodical and certain recurrences of his Sunday's recreation. Your 3s. a day man is to be on duty, that is, on requisition for duty, the whole twenty-four hours; his duty is in the night, and without shelter in bad weather, or society in fine; he must reside where he is ordered; he can have no recreation. . . . Can this be expected from competent persons at 3s. a day? . . . Depend upon it, your present rate will not answer and you must by some means or other continue to improve your scale.

Yours, my dear Peel, most sincerely,

J. W. C.

Peel's reply is scarcely comprehensible and seems to be a clear indication of the limitations of mind and outlook by which he was handicapped[1]:

Whitehall, October 10th, 1829.

Dear Croker,

Thanks for your suggestions in regard to the Metropolitan Police.

When I fixed the present rate of pay, I fixed it under an impression that it might be necessary to raise it, but I felt quite sure that it would be much easier to raise than to reduce the rate of pay. I cannot say that the short experience I have hitherto had has confirmed my first impression. I will not as yet speak decidedly on the point, but I am very far from being prepared to admit that the improvement of the situation of a common police constable by the giving him more money, would increase the efficiency of the establishment. . . .

I must first consider what is the class of man I want; and secondly, will the rate of pay maintain the proper respectability of that class?

No doubt three shillings a day will not give me all the virtues under heaven, but I do not want them. . . . Looking at the duties I want to be performed, I am not at all sure whether three or four shillings a day will not ensure their performance in a much better manner than ten or twelve would. I have refused to employ gentlemen—commissioned officers, for instance—as superintendents and inspectors, because I am certain they would be above their work. They would refuse to associate with other persons holding the same offices who were not of equal rank, and they would therefore degrade the latter in the eyes of the men.

A sergeant of the Guards at 200 l. a year is a better man for my purpose than a captain of high military reputation, if he would serve for nothing, or if I could give him a thousand a year. For somewhat similar reasons, a three shillings a day man is better than a five shilling a day man.[2]

After all, however, the real question is—how will three shillings a day support a man? I speak yet hesitatingly; but I have good reasons for

[1] Croker, vol. II, p. 19.

[2] This is a strange deduction from the reasons which prompted the choice of Army non-commissioned officers for the higher ranks of the police, which is much more likely to have been the conception of Rowan than of Peel. The reasoning of the last sentence of the letter quoted above is stranger still.

thinking that one of my police constables, if a single man, can find out of his pay of a guinea a week[1]: (1) lodgings, (2) medical attention, (3) very comfortable subsistence at his mess, (4) clothing; and can, after finding these, save out of his pay ten shillings a week.

Now, I think the policy of enabling him to save more is questionable. . . .

Ever most faithfully yours,

Robert Peel.

The immediate consequence of Peel's 'policy' was extreme difficulty in obtaining suitable recruits. During the first two years of the existence of the New Police dismissals and resignations exceeded in numbers the strength of the establishment. In 1833, out of a total strength of 3,389 men, there were only 562 who had been recruits in 1829.

For the police 'Office' which had been envisaged in the Metropolitan Police Bill the Commissioners were given the house at No. 4 Whitehall Place, the back premises of which opened on to a courtyard, known as Scotland Yard, because it was the site of a building which had been the residence of ambassadors from the kings of Scotland in the days before the Union of the two countries. The courtyard was conveniently accessible by an archway from a neighbouring street. As the back premises of the house were used for recruiting and for general police activities, the headquarters of the Metropolitan Police soon became known to the public as 'Scotland Yard'. The front premises of the house provided offices for Rowan and Mayne, and for John Wray, the Receiver, and Rowan made his home there in private bachelor quarters. The Superintendents, who were each in charge of one of the Divisions, rode into No. 4 Whitehall Place daily to make their reports. The six Divisions of September 1829 were increased to thirteen in February 1830, and to seventeen in the following May.

The beginnings of the storms which Rowan and Mayne weathered in the early years of police existence in London took the form of a strong breeze of criticism from the Press in April 1829, when Parliament passed Peel's Police Bill, and again in September, when some copies of the *Handbook of General Instructions* were prematurely issued. Hostility varied in form and degree but was generally unanimous. *The Times* denounced central control of police on account of the increased power of

[1] A guinea, with a deduction of 2s. for uniform.

patronage which it provided for the Government. Other responsible newspapers voiced their objections to the transfer of local control of police from the parishes to the Home Office. Whig and Radical organs not only denounced the creation of the New Police and every item of their planning, but made outrageously untruthful reports of their behaviour a daily feature.

Recruiting difficulties of many kinds were the first of the Commissioners' more serious troubles. It is difficult to realize today the extent to which in the early decades of last century patronage was the means of securing appointment to Government office and employment of every kind. Nomination, especially for humble employment, was regarded as a custom-decreed personal right by the nobility and by anyone who had ever obliged, or had influence with, political or administrative leaders. In determining, with Peel's support, that police recruits were to be selected by merit only, the Commissioners seem to have been scarcely aware of the revolutionary nature of this innovation, and that they were setting sail on a dangerous and uncharted sea. Their bold attempt was successful but it brought many influential people into the ranks of their enemies. There is no doubt that the new Police Force was widely regarded as a welcome depository for drunkards and ne'er-do-weels of every kind, especially by all to whom these were a burden and a responsibility. The shamelessness with which titled and influential sponsors guaranteed the character and respectability of rogues and drunkards and then expressed indignation when the Commissioners refused their demands led to the device of a printed form for this purpose and the handling of subsequent correspondence by a clerk. The majority of suitable men who applied for enrolment were unemployed artisans and clerks, who had no intention of being policemen for a day longer than they needed for finding an opportunity to return to their original employment. Letters demanding enrolment in the police for nominees were followed presently by a flood of others demanding promotion for serving policemen. Many years passed before the aristocracy came to realize the futility of such appeals. It is a remarkable fact, revealed by the copy-letter books at Scotland Yard, that among the names of patrons to whose demands for enrolment or promotion the Commissioners sent

firm refusals during the course of the first few years of police existence are those of Melbourne, Russell, Duncannon, Wellington, the Duchess of Kent and, most surprisingly, Sir Robert Peel![1]

Another embarrassing trouble which the Commissioners endured for several years was attacks on policemen in the streets by soldiers. Rowan issued orders that all soldiers arrested for this offence were to be handed over to the military authorities and not charged in the civil courts. He hoped that this conciliatory attitude, together with courteous appeals by letter to commanding officers, would be appreciated, but he found to his surprise and disgust that hatred of the police and attacks on them by soldiers were being deliberately fostered by military authority in the belief that ill-feeling between troops and police in London would be of value in times of popular unrest. Rowan then ordered that all soldiers arrested for assaulting the police were to be sent, without exception, to the civil courts.

Less troublesome but of longer duration was the natural ill-feeling and jealousy with which the London firemen regarded the police, who were invariably to be found at the scene of a fire and taking action to save property and extinguish the flames before the firemen arrived. On one occasion in July 1830 there was a stand-up fight between police and firemen at the site of a burning building. The Commissioners took direct conciliatory action with the Insurance Companies on the subject, and offered to join in making plans for defining respective duties, but their efforts were rebuffed.

Infinitely more serious troubles soon developed. In streets where drivers of vehicles of every kind had had the liberty to move where they liked and at any speed of which they were capable within the limits of the confusion which this liberty inevitably created, it was natural that efforts by the police to relieve confusion by restricting, and thereby increasing, liberty of movement should have at first united all drivers and their employers in the determination to resist them. The chief offenders were aristocrats who saw in the existence of the police

[1] After leaving office as Home Secretary, in the case of Peel, and before taking office in the case of the first three mentioned. These and other following details of police difficulties are from correspondence and other documents in the library at Scotland Yard, and in Home Office records of the period in the Public Record Office.

the thin end of a wedge which would eventually destroy many extra-legal class privileges. Titled and other carriage-owners encouraged their coachmen to lash out at policemen with their whips and to drive over them if they persisted in obstructing progress. Rowan handled this treatment of his men with his customary dignity and tact. In every such instance of maltreatment of a policeman a polite letter was sent to the carriage-owner offering him, as an alternative to the issue of a warrant for his coachman's arrest, an opportunity of sending him to Scotland Yard to attend what was called an enquiry into his conduct, with the obligation to accept the Commissioners' verdict in the form of a severe reprimand and a fine to be paid to the policeman victim of his brutality if they found him guilty.

Peel cannot be exonerated from responsibility for the difficulties of policemen in the streets, and especially in the courts, and for innumerable instances of hideous tragedy which they suffered. He was responsible for establishing them at a time when, in spite of his earlier attempts to reform the criminal laws, these were still amorphous, and he had left the legal powers of policemen dangerously undefined. There were no public prosecutors, and prosecuting policemen usually had to face the hostility of magistrates, of prejudiced judges, of juries, of lawyers, of Press representatives and of any of the public who were present in court. It frequently happened that an innocent policeman was tripped on a legal point by defending lawyers and then charged with wrongful arrest, found guilty, sent to prison, and kept there indefinitely after serving sentence because he was unable to pay the costs of the case. The Commissioners had no funds by which he could be rescued. The Home Office had power to allow provision of legal aid for policemen in individual cases in the courts, but used this grudgingly, or sometimes refused it, in the early years of police existence, especially after the Whigs came into office in 1830.

The risk of imprisonment was not confined to innocent policemen prosecutors who were unsuccessful. In 1830 a Sergeant Lacy arrested a man whom he saw striking a woman and charged him in court with assault. The magistrate convicted and fined the accused, who then raised an action against the Sergeant for assault, which was supported by an imposing array of lawyers. A police-hating jury returned a verdict of 'guilty'. The Sergeant

was sentenced to two months in prison, and was kept there afterwards as he was unable to pay the costs of his trial. The only money available to the Commissioners for relief in such cases was the small and quite inadequate Private Fund, built up from petty fines in the Force and small gifts which were sometimes sent to the Commissioners by people whom the police had helped. Policemen were strictly forbidden to accept gratuities.

The scope which jealous magistrates had for venting their feelings against the police can be seen in many reports of court cases in the newspapers of the period. Magistrates did not hesitate to show their sympathy with prisoners arrested for assaulting the police, and made a habit of inflicting the lightest possible sentences for this offence. The leader of a small crowd who threw a policeman bodily on to spiked railings was fined twenty shillings. Twelve men were only bound over to keep the peace after being proved guilty of an attack in which one policeman was nearly killed, three were severely wounded and eight temporarily incapacitated by injuries. False statements by prisoners and witnesses were accepted by magistrates, without demand for proof, in cases in which fully substantiated evidence put forward by the police was ruled as valueless and insufficient. There were no police pensions. The fate of permanently injured policemen, of whom there were many, was very often destitution and eventual death in a workhouse. In the copy-letter books at Scotland Yard there are numerous appeals from the Commissioners to the Home Office for charitable help for cases of this kind, but small single allowances of a few pounds were all that was granted until a much later period, when the sum of £40 was made by Russell a fixed gratuity for policemen who were totally incapacitated while on duty.

Part of the inspiration of public hostility towards the police came from the Press campaign which was waged against them throughout the early years of their existence. The flood of charges loosed on them was issued in total disregard of truth and justice. For dealing with street nuisances of every kind there was a confusion of laws and by-laws which differed from area to area and even from street to street. In whatever manner policemen acted in the streets they were blamed for being tyrannical and oppressive, and at the same time they were blamed daily in the Press for not suppressing, and even for

causing, by their indolence, every nuisance which had been in existence for at least a century before their appearance. The Press accused them of ignoring the presence in the streets of drunkards and prostitutes, and when remedial action by policemen was reported they were depicted as tyrants who molested helpless men and poor, pathetic and unfortunate women. The truth was ignored that to arrest and charge all the people who were visibly drunk in the streets of London would have given full-time occupation to all the police, and that there was no room in the police stations for more than a handful of the delinquents of this kind who would have had to be accommodated if they were all arrested. Such charges against the police on the subject of their handling drunkards were frequently accompanied by complaints and objections regarding powers given them to release charged delinquents on bail.

Every policeman wore on the collar of his jacket his number and the letter of his Division. This fact enabled anyone with a genuine or bias-created grievance against a policeman to report him direct to the Commissioners, who were soon inundated with complaints which, in numbers, seem to have been directed against almost every policeman in London. For dealing with these the Commissioners evolved a neat and disarming technique which was an extension of the system of dealing with the coachmen of aristocrats. Every complainant was sent a courteously worded reply inviting him to raise an action against the policeman who had aggrieved him or, as an alternative, to come to Police Headquarters with his witnesses and submit his case to impartial enquiry by the Commissioners. To take a case to court involved the uncertainty of costs and consequences, and accusers who were genuinely aggrieved usually welcomed the Commissioners' offer, which involved no expense. Some hundreds of reports of these informal trials which were sent to the Home Office reveal the stern and impartial justice with which enquiries at Scotland Yard were conducted. The outcome was frequently the fining or dismissal of a policeman, but there were many cases in which complaints were found to have been based on ignorance or misunderstanding. Whether the Commissioners ruled for or against them, sincerely aggrieved individuals of all classes were painstakingly made to feel that they had been treated with respect and had received justice in a manner which

they would not have experienced in a court. Furious criticism of the system was made in the Press and by public speakers, without effect on the Commissioners, who were accused of threatening the historic legal rights of Englishmen and the basis of British justice. Strong public appreciation of the system led in time to its being praised by the Press for the fair treatment it provided for all who had grievances against policemen. Together with growing public recognition of the value of their behaviour in the streets, the system helped eventually to check the tide of popular hostility.

In the meantime, throughout the first twelve months of police existence, the parish vestries can be seen to have been diligently mustering their resources for the full-scale, combined and furiously waged war against the Commissioners and their men which followed in 1831, when the Whigs had returned to power. From September 1829 and throughout the following year the vestries used skirmishing tactics, in attempts to delay the handing over of their police powers and organization to the Commissioners, and in resisting demands for payment, to the Receiver, of the Police Rate, which was fixed at eightpence in the pound. In addition to these troubles for the Commissioners, there occurred in the autumn of 1830 the first of a long series of riots deliberately organized for the purpose of driving the police from the streets and increasing public demand for their disbandment by making their presence in the streets impossible.

The various groups in London who were at this time either favouring or demanding abolition of the New Police included the parish vestries, who had behind them Tory citizen ratepayers who shared their Party's suddenly expressed hatred of the 'upstart Peel' for his unexpected support of some measures for Catholic Emancipation; Whig citizen ratepayers who were angered both by the Police Rate and by their Party's withholding of opposition to the creation of police; and skilled-labour parishioners who were mostly Radical in politics and shared the Whig outlook. Against the police was also ranged the aristocracy, for reasons already indicated; nearly all the magistrates and most of the judges, bankers and merchants of good repute who disliked the threatened interference of untrained police with the established system of compromising with thieves and swindlers through the medium of Bow Street

Runners and other recognized 'go-betweens'; merchants who with sounder reasons feared the ability of the police to lessen 'liberty' to ignore laws; all criminals and all who made profit, directly or indirectly, by crime and vice-purveying; and, lastly, the political extremists, known as the 'Ultra-Radicals' or 'Ultras', who were quick to see in the police, and their attempts to prevent riots by preventing the raising of mobs, a new and very formidable obstacle to the fulfilment of their revolutionary aims, which were to secure the breakdown of authority and order in the state. Of all the enemies whom Rowan and Mayne had to face in loneliness during the early eighteen-thirties the 'Ultras' were the most capable and dangerous, on account of their clear vision of the menace to them of police existence and their determination to avert it.

Dislike of police existence and opposition to it for varying reasons united the citizens of London, in spite of the fierce social and political disputes and antagonisms which were raging throughout the country as the outcome of growing recognition of the need for parliamentary reform. In London the Radical extremists took advantage of the excitement which followed the omission of mention of reform in a speech from the throne, and of Wellington's remarkable pronouncement on 2nd November 1830 that the existing parliamentary system had 'the full and entire confidence of the country'. On the following evening mobs composed of the riff-raff of its underworld were out in the streets of London, and alarming rumours of the Ultra leaders' plans and activities led the Government to cancel the attendance of the King, William IV, at the City banquet on 9th November, on the plea of information regarding a plot to assassinate him. The true aim of the Ultra leaders is indicated in the following extract from a speech which Peel made in the House of Commons in explanation of the Government's caution[1]:

> Everyone is aware that there exists in the public mind considerable excitement against those authorities which have been appointed, under the sanction of the House, to maintain the public peace—I allude, of course, to the body which is known by the name of the New Police. In the course of Saturday and Sunday, the most industrious attempts were made in various quarters to inflame the public mind against the New Police. Thousands of printed hand-bills were circulated for the purpose

[1] *Annual Register*, 1830, p. 158.

of inflaming the people against that portion of the civil force which is intrusted with the preservation of the public tranquility.

The following is a sample of the subject matter of the pamphlets to which Peel referred:

LIBERTY OR DEATH! BRITONS!! AND HONEST MEN!!!

The time has at last arrived. All London meets on Tuesday. We assure you from ocular demonstration that 6,000 cutlasses have been removed from the Tower for the use of Peel's Bloody Gang. Remember the cursed speech from the Throne!! These damned Police are now to be armed. Englishmen, will you put up with this?

The police were never armed with cutlasses when in action in riots in London. Their only weapon was their short wooden baton. They had had very little experience of riots, and those of November 1830 were the first which fully tested their power. Their first tactic was to line both sides of a street down which a mob was approaching, to await attack, and defend themselves. It is difficult to follow in this the reasoning of the soldier, Rowan. It is amusing to read the story of how his error was corrected. One of the strangest facts in political, social and police history is that the only citizen of London who thoroughly understood the value of the police for the cause of social reform was Francis Place, the moderate but feared and hated Radical tailor of Charing Cross, whose house was a daily meeting place for Radical and many Whig Members of Parliament who came for the purpose of listening to his advice. Place was alone among them in appreciating and liking the police. He was the leader of the Moderate Radicals in London, and he foresaw the menace to the power of himself and his colleagues which lay in the mob-raising tactics of the Ultra extremists, in much the same way as seriously-minded Trade Union leaders recognize and deplore today the menace to the Unions of Communist tactics. Place saw in the New Police, and the possibility of their achieving complete control of mobs, relief from the threat of their control by his extremist rivals, and consequent ruin of the Moderate Radical Benthamite programme. He made friends with Rowan and Mayne, who welcomed his advances and may have read the books which he lent them. It was the self-educated London tailor, and not the experienced soldier, Charles Rowan, who invented the tactic of the baton-charge, which Place based on the theory that attack was the best method of defence and that

it was better to charge an aggressive mob at sight than to wait and be attacked by it, and consequently suffer more casualties than were inflicted on it.[1]

In many riots the police were seriously handicapped by the stubborn folly of the City of London authorities, who had succeeded in maintaining their claim to retain their old useless system of Ward Constables and Night Watchmen. The New Police were not allowed to act inside the City boundary. The Ultra leaders who organized mob riots against the police showed astonishing genius in their planning and tactics. Mobs were assembled and organized inside the gates at Temple Bar, in the City area. The New Police gathered outside them and awaited the mob's emergence. On the evening of Tuesday, 9th November, the date of the Lord Mayor's banquet, a huge mob was assembled at Temple Bar, armed with pieces of wood obtained from the Public Record Office in Chancery Lane, which was then in course of construction. The New Police waited near Charing Cross and as the mob surged towards them countered with what appears to have been the first baton-charge. The rioters broke at once, scattered, and ran back in confusion to safety behind Temple Bar.

This particular street battle gave only partial victory to the police. They were now seen to be unassailable when they were mustered in solid bodies. The mob leaders quickly realized this fact and cleverly responded with the tactic of dispersal of mobs, which necessitated dispersal of the police. The use of the City boundary enabled the mob leaders to retain the initiative in attack by sending overwhelming numbers against known numbers of police before these could be reinforced. In the series of riots which followed in 1830 and involved much damage to property in the West End of London, including the breaking of Wellington's windows at Apsley House, the police sometimes fared badly and suffered many casualties but were never decisively defeated. They had many clear victories to their credit, on occasions when they were able to act in solid formations, but they had not yet learned the subtle art of preventing mobs forming, and could not learn it while they were denied entry to the City.

In the meantime one extremely significant outcome of the

[1] *The Life of Francis Place*, by Graham Wallas, and Scotland Yard letter-books.

conflicts gradually compelled recognition in Government and other influential circles. The police were showing themselves capable of controlling riots without military aid. For the first time for more than a century in London's history a way had been found to disperse rioters without cavalry charges and volley-firing by troops, and without blood-letting and fatal casualties. It is strange and deplorable that realization in Whig official circles of this particular value of the New Police was the source of an immense increase in the troubles and difficulties of Rowan and Mayne from 15th November 1830 onwards, the date on which Wellington's Ministry resigned and was followed by that of the Whigs under Earl Grey, with Melbourne as Home Secretary in place of Peel.

The Whigs while in opposition had consistently demanded abolition of what they called the 'brutal' use of troops by Tory Governments for the suppression of riots throughout the country. To this charge the Tories had replied with equal consistency that no other means of preserving order was available, and had asked tauntingly how the Whigs would otherwise deal with disorder in the event of their coming into power. The Whigs had also consistently opposed for nearly a century all proposals for the creation and establishment of police, and had blindly made themselves the mouthpiece in Parliament of nation-wide hostility to the idea of police. In 1830 Whig speakers were accused of having promised to disband the New Police in the event of the Party's return to power. Whether this charge was true or not, the new Whig Government had to face it, together with the full blast of a storm of popular feeling against the existence of the police, which was further intensified by the activities of the combined parishes of London under the leadership of the Radical-controlled parish vestry of Marylebone.

Every kind of unscrupulous verbal attack on the police was made at innumerable parish-inspired public meetings called and organized for the purpose of passing resolutions demanding disbandment and abolition. These meetings were actively approved and widely reported by the Press. The dilemma in which the Whig Ministers, and particularly the new Home Secretary, Melbourne, found themselves in 1830 is understandable. Having been provided providentially by the Tories with a way out of the necessity of using sabre-charges and volley-

firing against rioters in London, at a time when, to the accompaniment of ironic jeers from the Tories, military repression of riots in the provinces had to be employed with unprecedented vigour, the one clear certainty in the minds of Whig Ministers was that the New Police in London must at all costs be kept in being. To the everlasting discredit of the Whig Governments of the eighteen-thirties, and of Melbourne, Duncannon and Russell, who were successively Home Secretary, they embarked on a deliberate policy of sidetracking demand for abolition of the police by making show of warmly sharing popular feeling against them.

For the next few years Rowan and Mayne had to face alone, without the background encouragement of Peel on which they had so far been able to rely, a Home Office policy towards them which was deliberately devised to curry public favour by continuing to show official disapproval of them. They were an embarrassment to the Whigs, whose dislike of them was due not only to the fact of their indispensability but also to the consciousness that the police, if they were successful and became popular, would immensely enhance the prestige of the Tory Party in the eyes of middle-class voters in London. Pretended official disapproval of the Commissioners became blended subtly, especially when Duncannon was in office, with unpretended personal ministerial dislike of them, and they were subjected to a long course of shameful and not always petty efforts to bully, frustrate and humiliate them. All such efforts were defeated by the rock-like impregnability of Rowan's dignity, modesty and patience. The prolonged ordeal of trials and difficulties which he and Mayne shared alone and overcame in the course of their successful fulfilment of their constructive task cemented between them strong and enduring friendship and affection.

Much of the propaganda in which the vestries indulged took the form of patently deceitful compositions giving what were alleged to be instances of police brutality, corruption and extortion, together with figures of increases in crime and disorder, and of nuisances in individual parishes which were coolly claimed to have come into existence since the establishment of the New Police. Most of these nuisances were assumed to have been unknown until the coming of the police. Dislike

of the police brought large audiences to the meetings which were called, and inspired ready and unanimous voting for innumerable resolutions demanding disbandment which were forwarded to Ministers from all parts of the police area. The parish efforts failed because Ministers were in fact adamant in their determination not to disband the police, and the vestries found to their surprise that attempts to refuse or to delay payment of the Police Rate were met with formidable threats against them by the Home Office which it was dangerous to ignore.

Historians have generally overlooked the significance of one aspect of the political strife and upheaval which were generated by the struggle for parliamentary reform and the passing of the Reform Bills in 1832. This was the contest which was waged between the Moderate Radicals, under the leadership of Francis Place, and the 'Ultras', who were trying to capture control of the movement. Place and his moderate friends, who believed that reform could be obtained by peaceful means, formed in 1831 the National Political Union, membership of which was carefully made subject to their approval. The Ultras believed that reform could be achieved only by revolutionary action, and strongly resented Place's tactic to keep control of the Union in his hands. To challenge him and show their strength, and to secure if possible full control of the Radical movement, the Ultra leaders advertised the holding of a mass meeting on 7th November 1831 at White Conduit House, the ultimate purpose of which was to secure a resounding victory in a pitched battle with the police. Bludgeons and other weapons were collected and distributed but for once the site of battle was badly chosen. Rowan received so much detailed information regarding the plan, through the medium probably of the Place group, that he was able to take precautions by a disposal of his forces which prevented people assembling in strength at or anywhere near the arranged meeting place. There was no rioting.

This discomfiture of the Ultras was the first phase of their struggle against the Moderates which lasted three years and was finally ended by complete victory for the latter, which was gained for them by the police. The struggle between Moderates and extremists was waged throughout the country but it was its final settlement by the police in London that ended it else-

where. In 1830 and during most of 1831 the New Police proved that they could control riots in London without military aid. In November 1831 they showed that they could prevent riots by preventing mobs assembling. In the provinces during this period a mob burned and destroyed the centre of the city of Bristol. Nottingham Castle, the seat of the Duke of Newcastle, was besieged by a mob and burned. Rick-burning was prevalent and uncontrollable in many parts of the Home and Southern Counties. Throughout a large area of England owners of country houses, including Peel, were fortifying them and arming their servants with carbines.

For nearly thirty years the extremist Radicals and other revolutionary leaders had been fully aware of certain facts which exasperated them. The Government could suppress riots, but only by moving troops from place to place throughout the country, where riots occurred. The total forces at the Government's disposal were hopelessly inadequate if outbreaks occurred or could be made to occur, in a number of areas simultaneously. As riots could not be instigated except in the presence of hunger, unemployment and other economic sufferings, and as these were never available in more than one or two industrial or agricultural districts at any time, the Government was always victorious, and always would be, unless some new cause of disorder other than purely local economic pressure could be found.

The political unrest and intense excitement which were aroused throughout the country by the reform controversy seemed to provide, at last, the opportunity for which the extremists had been waiting. Their plan was to make violent rioting in London a pre-arranged signal for risings throughout the provinces. To their dismay they found themselves strongly opposed by the Moderates, who had a very different plan, which they made with what was, more or less, the clandestine approval of the Whigs, when the Lords wrecked their Reform Bill in April 1832 and Wellington responded to the King's request to form a Government. The Moderates planned that risings should take place in the provinces, but only as a last resort, and there is no question now that the Whigs were aware of, and approved, the collection of arms at Birmingham and elsewhere for this purpose. The key to the whole of the Moderates' plan was that

London should be kept quiet, in view of the dislocation of food supplies and possible starvation which large-scale rioting there might cause. For use against risings and rioting Wellington had only 11,000 troops, and his intention to use only 7,000 of them in the provinces and to keep 4,000 for the suppression of riots in London became known.

The extremists wanted to bring these troops in and near London into action as soon as possible, as a signal to the provinces. The Moderates saw in the event of this happening the end of all hope of success, but both Moderate and Ultra Radical leaders, and even Wellington himself, reckoned without the police, who kept London quiet throughout 1832 by their own efforts. Without them the Moderate leaders would have been helpless in face of the power and influence of the wild oratory of the Ultras in rousing London's underworld. The only serious attempt at rioting which occurred in the course of 1832 was staged at Finsbury Square in April, against the carefully chosen background of a City boundary, across which the mob who took part were soon driven in disorder by the police. Thereafter London remained quiet and there was no signal-rising for the provinces. As is well known, opposition to parliamentary reform was eventually defeated by the tactic of the slogan, 'To Stop the Duke Go for Gold', with which the whole country was placarded, and the crisis ended after the final Reform Bill was passed on 7th June.

The Ultra leaders were well aware of the real cause of the complete discomfiture of their revolutionary plans during the reform crisis, and of the loss to them of the unique opportunity which it had afforded of securing Radical leadership both in London and throughout the country. They realized that to secure a complete victory over the unarmed police in London was an essential preliminary to revolutionary progress, and to exposing to the masses the weakness in numbers of the troops throughout the country, which were authority's only other means of opposing it. In May 1833, when much feeling had been aroused by disgust with the Whigs for their refusal to fulfil the many promises which they had made when in opposition, the Ultra leaders in London staged their most subtly planned, and last, effort to secure the discomfiture and disbandment of the police by means of a mob.

Bills were printed and circulated calling a meeting on an area of open ground at Cold Bath Fields, on the Calthorpe Estate, north of Holborn, at two o'clock in the afternoon of 13th May 1833, for the seemingly harmless purpose of discussing 'preparatory measures for holding a National Convention'. In another notice the people were called upon to be their own parliament. The Government replied with a notice proclaiming the meeting illegal and warning people not to attend. This notice ended with the words 'By Order of the Secretary of State' and, very significantly, carried no signature. Rowan pleaded without success for the addition of a ministerial signature or, alternatively, that his name might be appended as Commissioner of Police. He had information that the extremist leaders were addressing meetings at which they were openly proclaiming their object as being a final battle with the police, and victory over them, and appealing to the audiences to come armed and die rather than turn back. It was essential for the police that the proposed Cold Bath Fields meeting should be declared illegal, indisputably, by the Government. Melbourne's behaviour during the whole course of these events illustrates outstandingly the cynical cunning and pettiness in his personality which so often hampered the exercise of his unquestioned abilities.

Rowan made his plans strictly on what he claimed were, and proved later to have been, orders received from Melbourne and Samuel Phillipps. These were that he was not to occupy the ground or interfere with the meeting until it had assembled and was being addressed, and that he was then to disperse it and seize the leaders. He concealed seventy men of 'A' Division in a livery stable and a hundred men of 'C' Division in a riding school, and made a house in the vicinity his headquarters. At the hour for which the meeting was arranged a large crowd was seen to have occupied the waste ground, centring on a group carrying banners surrounding the leaders. When one of these began to address the crowd Rowan ordered up the men of 'A' Division. They were met with a shower of stones and other missiles but they promptly charged, and in five minutes dispersed the crowd, which scattered in all directions.

The 'C' Division men who were at the same time ordered up in support of the others encountered part of the crowd which were being dispersed. Some of them as they ran made a quick

and fierce attack on the supporting police, using stones, bludgeons and knives, which lasted only a few moments. In this fight one policeman, Robert Culley, was killed and two others were wounded by men with knives, and the Superintendent of 'C' Division was saved from a similar fate by the prompt action of a constable who knocked down the attacker. This attempted riot was the Waterloo of the war waged with revolutionary aims by political extremists in London and finally ended their hopes of success. It was the last of a serious nature which occurred while Rowan was alive, and the last that was ever staged with the deliberate purpose of achieving disbandment and abolition of the police.

It is a strange fact that propaganda regarding the 'brutal and murderous' conduct of the police at Cold Bath Fields, with which the extremist leaders succeeded in inflaming all London, nearly turned their defeat into a victory. All the dislike and jealousy of the police that was rife among citizens of all classes found fresh outlet in indignation roused by lurid stories of policemen made drunk and then let loose among innocent women and children, who were bludgeoned unconscious in scores. The jury at the inquest on the body of P.C. Culley, whose murderer was never found, gave a unanimous verdict of 'justifiable homicide', and were fêted and entertained for doing so for days afterwards. When a man named George Furzey was tried at the Old Bailey for stabbing a police sergeant, the verdict of the jury, in the face of clear evidence to the contrary, was 'not guilty'. This was largely influenced by a stream of witnesses who swore on oath that they had seen the police striking with their batons men, women and children, from whose heads blood was flowing, and that the unconscious bodies of the victims were strewn on the ground.

It should be remembered that behind the objective of all this propaganda against the police, which was to make their existence impossible, there was the additional aim of embarrassing the Whig Government in revenge for its broken promises. Melbourne was well aware of this, and by deliberately and deceitfully helping criticism to be concentrated on Rowan and Mayne and the police, he did his best to turn it from himself and his ministerial colleagues. It was a shameful performance.

As a result of Radical pressure the Government appointed a

Parliamentary Committee to report on the riot at Cold Bath Fields and the behaviour of the police. The Commissioners gave evidence and submitted the instructions which they stated they had received from Melbourne, and had repeated to him in their report of the riot. The paragraph on this subject in their report is as follows:

> On Saturday, the Commissioners received your Lordship's directions that the meeting being illegal, and public notice given to that effect, was not to be allowed to take place, and that the meeting, if attempted, was to be dispersed, and the leaders seized on the spot. The police were to interfere, for the purposes stated, the moment any one began to address the meeting, but it was considered advisable not to occupy the ground previously by the police.

The Committee summoned Melbourne, and members questioned him about these instructions. He coolly denied having given them. It is to the credit of the members of the Committee that they refused to accept his statements to this effect. They recalled him and questioned him closely. They handed him a copy of the Commissioners' report and asked him if their recorded repetition of his instructions to them was a correct statement. He gave a vague and noncommittal reply and was then asked if the Committee were to understand 'that your Lordship does not object to that Report as a correct statement of the substance of his instructions.' Melbourne answered: 'I do not; I consider it as putting the dispersion of the meeting more forward than I put it in giving my instructions; it was my intention that the first object should be the arrest of the persons holding the meeting.' How he expected the police to reach and effect the arrest of the speakers without first dispersing the crowd surrounding and defending them, the Home Secretary did not attempt to explain. Committee members solved his difficulties for him by suggesting that he wished the meeting to be prevented and the leaders apprehended with as little violence as possible. He accepted this formula gratefully, but members were not yet done with him. They questioned him embarrassingly on the subject of the Home Office habit of refusing to give orders and instructions to the Commissioners in writing, a standing injustice of which they frequently complained. Melbourne stubbornly replied that he had 'never found any public inconvenience to have arisen from verbal instructions'.

The convenience of being able to deny having given orders to the police was a safety valve in the circumstances of the times that the Home Office was determined not to lose.

The planners of the Cold Bath Fields riot were a minority among the Ultras who acted without the support of all their colleagues or of that of the Moderate Radicals, but the immense and surprising success of the subsequent propaganda against the police united for some time all the Ultras and many of the Moderates, with the outstanding exception of Francis Place. The large audiences who assembled at the innumerable meetings arranged for the purpose of reviling the police provided opportunities of attacking the Whig Government which Moderate orators were quick to seize, and they excelled the Ultras in their use of vituperative language.

The following extracts from speeches made at anti-police meetings deserve quotation as illustrating not only the sufferings of the police but also the methods by which Party warfare was conducted by politicians who were far from being revolutionary extremists. After announcing at a meeting that the Government had acted in a most unjust and cruel manner in sending police to Cold Bath Fields, Roebuck continued[1]:

> What had their paternal government done? It had sent 1,700[2] [*sic*] men to this meeting in order to disperse it. It had armed those men with weapons capable of inflicting painful and grievous wounds. It had previously stimulated them with drink, and, without warning, these 1,700 men had attacked the unoffending people, and beat them to the dust.

This outburst was mild compared with that of Daniel O'Connell on the same occasion[3]:

> There were seven and twenty obscure persons who called the meeting to establish a National Convention. It was a thing to be laughed at. A number of persons came to look on and to laugh at the whole business, and women and children came likewise. . . . From the evidence it appeared that there was not a single act of violence committed, nor an illegal word uttered, but before almost a word was said, a number of men calling themselves constables, were reported to have made a sudden attack on men, women and children. An affray took place, blood was streaming, and all that was known of the policeman's death was that a man was seen going back—back, till he could back no farther, and all the

[1] *Observer*, 2nd June 1833.
[2] The true figures were 700-800 policemen, of whom only 170-80 were used. (Commissioners' evidence at Select Committee enquiry.)
[3] *Observer*, 2nd June 1833.

time defending himself from the attack of the police; and that that man, when he saw that there was no other way of avoiding death, did inflict death! If the jury believed that to be the true state of the case, and that the man had no other way of saving his own life but by the death of the aggressor, they could not bring in any other verdict. [Loud Cheers.]

What inspired the people of London to applaud this kind of oratory was their inherent and easily roused dislike of injustice, but the absurd lies and exaggerations used to inspire this were seen presently to lead to a popular realization of the injustice suffered by the police. The Select Committee who reported on the riot exonerated the police from all blame, giving as their reasons the facts that not a single case of a person seriously wounded by the police had been produced, and that it had been clearly proved that none of the police were intoxicated. There was also the fact that one policeman had been killed, and two injured by stabbing. The police had no pensions of any kind. Constable Culley who had lost his life had left a widow and two children who were destitute. The public became influenced also by slow realization of the sufferings of the police in the streets and in the courts of justice. These, together with instances of bravery and kindly services rendered by policemen, were being reported with increasing frequency by reputable newspapers, although without abandoning general criticism of police existence. As the result of these influences, and of growing public appreciation of the dignity and modesty of police behaviour in the streets—behaviour which Rowan was consistently inculcating among his men—a change in the attitude of the public appeared at this time. To the astonishment of the Commissioners a flood of small sums of money for the benefit of Culley's family poured in on them, and on the editors of some newspapers, who were thereby encouraged to open subscription lists, and public demand for Home Office action in the matter induced Melbourne to grant Mrs Culley the unprecedented sum of two hundred pounds, which was five times in excess of any award ever made by the Home Office in similar circumstances before police pensions were instituted.

The Cold Bath Fields riot caused final widespread recognition of the value of police as a means of controlling mobs without inflicting serious casualties or requiring action by troops. A clearcut division in the attitude of the public towards the police

soon became apparent. Active dislike of them and active hostility against them became increasingly confined to sections of the public and to individuals who were liable, in one way or another, to be frustrated in pursuit of their aims and activities by the police.

CHAPTER XI

ORDEAL—AND TURN OF THE TIDE

ONE of the heaviest burdens which Rowan and Mayne had to carry during the early eighteen-thirties was that imposed on them by Peel's threatening to separate judicial and executive functions in London, and then leaving these undefined. The result was that jealousy of the Commissioners was displayed almost without exception by the magistrates of London. There were two or more of these at each of the nine stipendiary courts, and they had complete control of such police as existed, other than the New Police, and were responsible for control of riots. Peel openly threatened to relieve magistrates of control of police and riots but did not do so. He made the new Commissioners responsible for the maintenance of order but flatly refused to define either their status and authority or their relationship to the magistrates. The result was that the Commissioners were faced on every occasion of rioting with demands from jealous magistrates to submit themselves to instructions, or at least to seek magisterial approval of their plans.

There are many reports of riots and much subsequent correspondence concerning them from which it can be seen that Rowan's difficulties in controlling disorder were not more formidable than were his difficulties in controlling magistrates. It is clear also during 1831 and later that strife between magistrates and the Commissioners was welcomed and encouraged by the Home Office, because it tended to weaken the Commissioners' independence and forced both them and magistrates to treat the Home Office as a Court of Appeal. Melbourne took pains to foster disputes of this kind and to keep jealousy in being by withholding effective judgments. That disaster was avoided on many occasions was due solely to Rowan's consistent exercise of the dignity, modesty and tact which were outstanding assets of his personality and never failed him throughout his official career.

The magistrates' customary post-riot complaints to the Home Office about the Commissioners were usually passed to them without comment, for their remarks, and these habitually took the form of an unanswerable presentation of facts regarding their duties and responsibilities. When Rowan made the successful disposition of his men which prevented a riot at White Conduit House on 7th November 1831, two magistrates from the Marlborough Street Court suddenly appeared and demanded from the Superintendent in charge full details of his arrangements, strength and the placing of his men. The Superintendent courteously supplied all the information which was demanded. The magistrates could find in it nothing which, in their ignorance of policemanship, they dared to criticize, but one of them, Frederick Adair Roe, managed to frame a grievance to the effect that all the police arrangements should have been laid before him by Rowan for approval before being put into force. Meeting Rowan in a passage in the Home Office on the following morning, Roe announced that he had been deliberately slighted by the Commissioners by their failure to wait on him on the previous day and give him full information regarding their plans.

From the behaviour of Frederick Roe on this and subsequent occasions it will be seen that he was a man of peculiarly weak and emotional temperament who was obviously living in enjoyment of immense self-assurance and self-esteem. Of the instability of the foundations of these he was made suddenly, if semi-consciously, aware by his first contacts with Rowan. What follows is an almost incredible story. What the combined efforts of all the enemies of the police failed to do in the matter of bringing about their downfall and disbandment, Frederick Roe alone and single-handed very nearly achieved.

Rowan's reply to Roe's accusations at the Home Office is not recorded, but the latter's last word was a threat to complain to Melbourne, which was fulfilled in a letter addressed to the Hon. George Lamb, a younger brother of Melbourne's whom he had installed in the Home Office as an Under-Secretary. Roe merely stated his complaint that no communication was made to him regarding the strength, positions and orders given to the police at White Conduit House. This was obviously an attempt to trap Melbourne into a ruling on the subject of

magistrates' powers over the New Police generally. That wily prevaricator was not to be drawn. The letter was passed to the Commissioners without comment. Rowan replied with an account of what Roe had alleged in conversation at the Home Office and a request that he should be asked to explain himself. This request was granted and Roe realized that he had failed. He wrote another letter to the Home Office assuring Melbourne that his first letter was only an expression of an opinion and not a complaint, and begged that in these circumstances the matter should be allowed to rest. This letter also was passed to the Commissioners without comment. Their final letter is signed by Mayne and is an interesting example of his forceful style, which was the product of his legal training and natural ability in argument. Melbourne was informed that the Commissioners agreed with Roe's request to let the matter rest on the basis of his first letter, and that they would confine their remarks to its substance. Mayne continued[1]:

> . . . they trust it will appear to Viscount Melbourne that the censures passed by Mr Roe upon their public conduct were in fact unwarranted; and that, under any view of the case, it was no part of Mr Roe's duty to assume to pronounce judgment upon their conduct; and his doing so was ill-calculated to promote a cordial co-operation in future, or conduce to the good of the service hereafter. . . .
>
> The Commissioners of Police with the greatest deference submit to Viscount Melbourne that it is of the utmost consequence that the two branches, the judicial and executive of police, should be placed on such a distinct footing as may prevent jealousy or a clashing between them; which must be so highly prejudicial to the Public. That in order to effect that object, by such regulations as may seem best to his Lordship, the duties of the magistrates may become purely judicial, and the business of the executive Police be entrusted to the Police Commissioners acting under the immediate orders of the Secretary of State.

The Commissioners received no decisive answer to this letter. It is possible that Mayne's wording should have been more tactful in the circumstances of what was still the isolation and virtual friendlessness of their official situation. It may be assumed that the letter was passed or shown to Roe, and that it made him fully aware of the aims and vision of the Commissioners. It may be assumed also that through him every magistrate in London became aware of its contents. It secured for the Commissioners, nevertheless, the following brief note from the Home

[1] Public Record Office, H.O. 61/65.

Office, presumably from Phillipps, dated 25th November, in which they were informed:

That his Lordship has not, and has never had, any intention to place the Metropolitan Police in any respect under the control or direction of the Magistrates of the Police Offices. Lord Melbourne is fully sensible that by the constitution of the Metropolitan Police all regulations for the general government as well as for the particular services of the Officers of the Police are to be made by the Commissioners subject to the approbation of the Secretary of State.

As will be seen presently, whatever satisfaction the Commissioners may have derived from this communication can have been of only short duration.

Five months later the Chief Magistrate of Bow Street, Sir Robert Birnie, died. The *Morning Herald* announced that the office of Chief Magistrate was to be abolished and that the public duties connected with it would be carried out in future by the Metropolitan Police Commissioners. Whether the inspiration of this bald statement was pure mischief, desire for sensation, or belief that it was true is unknown. Birnie, like all other stipendiary magistrates in London with one or two rare exceptions, had expressed strong dislike of the Commissioners and the police, but he had never been meanly hostile to them. With what appears to have been a deliberate intention to increase Home Office power by encouraging strife between magistrates and the Commissioners, Melbourne cunningly appointed as Chief Magistrate Frederick Adair Roe, who at once received the knighthood which accompanied that office.

Roe now found himself with greatly increased scope for annoying and frustrating the Commissioners. He controlled the Bow Street Runners and a number of court constables who were known as Bow Street Officers. They were notorious rogues and allies of thieves. Roe and his colleagues on the Bench insisted that all search warrants asked for by the Metropolitan Police should be issued to, and executed by, his men only. In case after case the Bow Street Officer who had the warrant made feeble excuses to put off accompanying the Metropolitan Police to a house where stolen goods were known by them to be stored, and on each occasion, when eventually the warrant was served, the goods were found to have been removed. The Commissioners reported one blatant case to Melbourne,

with clear evidence of collusion between thieves and Bow Street Officers, and asked for redress. Melbourne, as usual, passed the complaint to Roe, without comment, and passed his reply in turn to the Commissioners. Roe answered that he and his colleagues had taken counsel together and were convinced that the custom of giving search warrants exclusively to Bow Street Officers could in no way throw obstacles in the way of recovery of stolen goods. Melbourne took no further action and, encouraged by his support, Roe embarked on a long series of petty interferences with the work of the police which the Commissioners, in the almost total absence of Home Office support, were obliged to suffer with patience. Of the full volcanic nature of Roe's hatred and jealousy of them they were probably unaware until they realized the scope that was unexpectedly provided for him, two years later, in 1834, when the Whig Prime Minister, Earl Grey, resigned and was succeeded by Lord Melbourne, whose place at the Home Office was taken by Viscount Duncannon.

The origins of Roe's close intimacy with Duncannon and immense influence on him are a mystery, but not less remarkable is Roe's lasting influence at the Home Office after Duncannon's departure and throughout the time that the Whigs were in power. In all that has been recorded of Roe's official career there is nothing which indicates that he had any talent or ability or even party political value of any kind. That Duncannon shared his hatred of the New Police and was eager to vent it is evidenced by a letter which the Under-Secretary, Samuel Phillipps, sent to the Commissioners on 30th July 1834, the day on which Duncannon took office:

> Viscount Duncannon having received information that a charge was lately made against Inspector Wovenden by the Superintendent of the 'D' Division for his conduct towards a female at night in one of the Station Houses, directs me to request the Commissioners to transmit for his Lordship's information a report of the charge, and all that has taken place thereupon.

This seemingly harmless letter must have startled the Commissioners, because it showed them that the new Home Secretary was in possession of details of occurrences in a police station which could not have been known at the time to anyone except themselves and the staff employed there. Its significance lay in

the fact that no charge against the Inspector mentioned had been made by his Superintendent. The true facts were as follows.

On the evening of 19th June, when Melbourne was still Home Secretary, a young girl, Ruth Morris, who was a notorious prostitute, was arrested by a policeman of 'D' Division on the charges of being drunk and disorderly, indecent behaviour, and refusal to pay a cab fare. As she was too drunk to answer questions, she was locked up for the night and brought before Superintendent Lazenby in the morning. The details of the charges against her were entered on a charge sheet which was handed to a policeman to take to the Marylebone Court, and while waiting to be sent there she told the Superintendent that she had something very important and private to say to him. She pointed to an Inspector, William Wiggins, who was present, and said that he had come into her cell during the night and raped her. Wiggins said he had not been at the station since the previous day, and the girl then accused another Inspector, Squire Wovenden. The details of her story are unsuitable for repetition but they reveal at a glance its absurdity, and there is clear proof that what she alleged was a physical impossibility. These details together with her statement, which was recorded and later repeated by herself in public, makes it impossible to doubt the innocence of Inspector Wovenden.

Lazenby did not bring a charge against Wovenden, which was natural in view of the evidence, but went at once to the Commissioners, after the girl had been sent to court, and reported the whole affair to them. They promptly ordered him to go to the court, charge Wovenden, and have the case dealt with formally by the magistrate. There is no doubt that there would have been an acquittal, but the Commissioners knew well the danger of providing any grounds for suspicion of having suppressed a charge of this sort. Lazenby hurried to the Marylebone Court but arrived too late. Ruth Morris had been discharged, after being reprimanded and ordered to pay the cabman what was due to him. Lazenby traced her to her address and begged her on behalf of the Commissioners and himself to bring a charge against Wovenden. She refused to do so without a promise that her name would not appear in the newspapers. Lazenby was unable to give one and the girl firmly refused to act without one.

This was the state of the matter when the Commissioners received Duncannon's enquiry of 30th July. They replied by giving a full account of all that had happened. Duncannon made no comment but demanded briefly the 'D' Division Charge Sheets of 19th and 20th June. Then suddenly, without hearing a word on the subject from the Home Office, the Commissioners learned that Inspector Wovenden had been arrested on a warrant from Bow Street Court and confined in Newgate Gaol, and that Sir Frederick Roe had been ordered by the Home Secretary to make a formal investigation into Ruth Morris's charge against him. Their feelings can be imagined when at the same time Superintendent Lazenby brought them a notebook containing shorthand recordings of everything that had been happening from day to day at 'D' Division headquarters, made by his clerk, Acting-Sergeant Herbert King, together with the evidence of a loyal constable, Thomas Harrison, through whose activities King's secret notebook had been discovered. King had boasted to Harrison of his intimate relations 'with Sir Frederick Roe and other noblemen', and of his assurance that these friends of his 'would get him a good situation' as the result of all the information on the Ruth Morris case with which he was supplying them.

Throughout the investigation with which he had been entrusted Roe allowed himself the fullest possible scope for exposing his hatred of the police, which, on this and other occasions, is clearly identifiable as the product of ruffled vanity, and badly-shaken sense of self-importance, the consequence, probably, of his contacts with the infinitely stronger personalities of Rowan and Mayne. He began his task by announcing that his respect for the Commissioners' feelings obliged him to rule that the enquiry be conducted in private and that no notes of any kind be allowed to be taken by anyone present. More remarkable was his firm ruling that no evidence for the defence would be allowed to be given, and on occasions when witnesses said anything which could be interpreted as being of this nature he at once ordered the clerk to omit it from the record. He bullied and stormed at each policeman witness in turn, driving them to complain later that he had made them incapable of understanding his questions, and that he had applied their answers to questions which they had not been asked. One of these policemen witnesses was un-

able to attend on account of illness. Roe sent a Bow Street man for him and bullied him unmercifully until he said that he was so ill he did not know what he was saying. He died next day.

During the proceedings Roe learned that Wovenden's son was searching London in order to find and produce in court Ruth Morris's cabman and a man who had occupied the cell next to the one in which he had been confined after her arrest. The boy was sent for and threatened that he would be summoned as a witness against his father unless he discontinued these proceedings. Roe refused to allow the boy to visit his father in prison, on the ground that the sight of his son would be too painful for the father's feelings. He succeeded also, in a manner for which there is no justifiable explanation, in completely silencing the solicitor who appeared at the investigation on behalf of Wovenden. The solicitor's excuse for his silence was that he was certain the farcical nature of the investigation would ensure Wovenden's eventual freedom.

After the investigation Wovenden was charged in open court before Roe, who made a remarkable self-exposing and revealing speech. The *Times* reporter, whom he could no longer baffle, recorded it fully in shorthand and it appeared in *The Times* of 25th August 1834. Roe said:

> At last the circumstances reached the ears of Lord Duncannon, and the moment the charge was intimated to him he directed me to set about an investigation of the facts, and I lost no time in doing so. . . . In spite, however, of every exertion on my part to arrive at the truth, I found the greatest difficulties thrown in my way by those who should be the first to afford me every assistance. Instead of the police constables evincing an anxiety to expose the truth, I met nothing from them but prevarication upon prevarication, contradiction upon contradiction, and falsehood upon falsehood, in short, the whole tenor of their evidence from first to last was a tissue of prevarication and the most degrading, disgraceful contradictions. . . . I can only say that having been a magistrate for nearly thirteen years I never in the course of my experience during that time found in any set of witnesses conduct so likely to impede and subvert the ends of justice as that which I experienced in my attempt to investigate this case, and I feel I should be doing wrong if I did not say so.

The Commissioners at once made a strong formal protest against this outburst. Duncannon passed their letter to Roe, who replied that he was unable to answer the Commissioners' criticisms of what he had said about the police because 'it is to Viscount Duncannon alone that I could offer my opinion'.

Roe was finally defeated and exposed by the strange mind of the girl, Ruth Morris. Her story of what happened during the night of her detention was palpably absurd, and her accusation against Wovenden was clearly falsified by her own evidence. That Roe was well aware of this is obvious from the strenuous and almost desperate efforts he made to induce her to alter her story and reframe it according to his suggestions. All the pleadings, exhortations and threats which he used failed to move her or to induce her to alter a word of what she had said. She refused also to sign the deposition against Wovenden, on the ground, distressing to Roe, that she was determined not to prosecute. He overcame this part of her resistance by lying to her. 'I give you my word of honour,' he told her, 'it is not you who are to prosecute; it is Lord Duncannon.' With this assurance she signed. In her pathetic dramatizing of herself as an injured virgin this outcast of the streets lied unconsciously, and she can claim, even from human judgment, mercy which it is difficult to extend to the infinitely weaker and lower-fallen vessel, Frederick Roe. The case went to a higher court for trial. When the Bill came before a Grand Jury, they threw it out at sight, and Wovenden was set free.

Rowan's military training and experience may have led him to see in all the circumstances of the failure of Roe's plans the perfect setting and opportunity for counter-attack, and the mass of material at hand for devastating argument and the exposure of Roe must have happily inspired the legal mind of Mayne. With permission from Duncannon, which he could not have refused, the Commissioners held a departmental enquiry at Scotland Yard into all the facts of the Wovenden case, and the result was an imposing bundle of documents which they sent to the Home Office under cover of a letter which was obviously written by Mayne. This was a brilliant affirmation and proof of the complete innocence and faultlessness of Lazenby and Wovenden, and also an irrefutable exposure of the intrigues, deceits and lies of Frederick Roe. The wording of the letter reveals the Commissioners' complete confidence in Duncannon's sense of justice and seems to indicate that they were unaware of the mysterious link which united him and Roe in a desire to humiliate the police. Duncannon's answer to the Commissioners turned what had seemed to be their victory

into a disastrous reverse which threatened the complete destruction of the police, at a time when the combined efforts of their numerous other enemies were at last showing signs of failure.

Duncannon wrote, 'I have carefully read over the Report of the Commissioners of Police', and made no other reference to it. He ordered the Commissioners to dismiss Wovenden and Lazenby at once, the former because he was not 'a fit person to be placed in the responsible situation that he lately filled', and the latter because he had not entered Ruth Morris's complaint against Wovenden on the divisional charge sheet. Mayne had dealt in his letter with this item of the case in the following words:

> The Inspectors and other superior officers could not perform their duties with independence, and maintain the authority requisite for carrying on the Police Service, if upon any charge made by a prisoner they were themselves to be treated as criminals and placed in confinement. Serious collision of authority amongst the police themselves and other obvious evils must be the consequence; which it is unnecessary for the Commissioners to trouble his Lordship with detailing.

Duncannon's letter demanding the dismissals was promptly followed by his issue of an order that every charge made by a prisoner against a member of the Metropolitan Police must in future be entered on a charge sheet, taken to a magistrate, and reported to the Home Office immediately on occurrence. If the charge resulted in any form of punishment by a magistrate the accused policeman was to be dismissed by the Commissioners.

There are no records of any kind which reveal Rowan's mental reactions to the crisis with which he was now suddenly confronted. Both Lazenby and Wovenden had unblemished records of police service, and of military service in the Peninsular War. Wovenden was incapacitated by wounds from doing manual work and had exhausted his savings in winning his case. He had a wife and seven children, and dismissal for him meant destitution. Rowan must have felt that the resignation of both himself and Mayne was necessary from motives of loyalty to their men, and that it was desirable in the interests of the preservation of their own dignity and self-respect. It seems clear that their resignations were hoped for and expected by Duncannon, but this outcome would certainly have provided all their

enemies with perfect triumph, and made inevitable the destruction of the unique police instrument which was on the eve of becoming securely established, as the result of the successful mastering by Rowan and Mayne of their many other obstacles and difficulties. If they resigned it was certain that their successors, whoever they might be, would be appointed with infinitely less than even the vague and undefined degree of authority which had been conferred on them by Peel, and that police administration would become largely the joint function of magistrates and the Home Office. The effects of such a course on later history are unpleasant to imagine, especially in the light of what had occurred in earlier times, before the New Police came into being. Loyalty to Lazenby and Wovenden and the need for supporting them may seem to have required the resignation of the Commissioners, but required of them also was loyalty to all their other officers whom they had trained and perfected in their duties, and on whom the withdrawal of leadership would have inflicted even worse disaster than had befallen the two victims of Duncannon's despotism.

Considerations such as these were no doubt the inspiration of the letter which the Commissioners wrote to the Home Office on 6th November over Rowan's signature. The wording of this letter, and particularly of its last quoted paragraph, is obviously his:

> The Commissioners of Police beg to acknowledge the receipt of your letter of the 31st ult. conveying the directions of Viscount Duncannon for the dismissal, from the Police Force, of Inspector Wovenden, and also of Superintendent Lazenby; and to acquaint you for his Lordship's information that they have been dismissed accordingly.

Two long paragraphs follow, comprising a further full and clear vindication of Lazenby, on the ground that there were no orders in existence for the charging of police officers when complaints were made against them by prisoners, and proving that the absence of such orders made any blame for his failure to charge Wovenden wholly attributable to the Commissioners, who were justly responsible and begged to take it upon themselves. The letter continues:

> The Commissioners are compelled to feel, which they do with the deepest regret, by the mode in which the late proceedings in Mr Wovenden's case were originated, and have been carried on, that they have failed

to obtain the confidence of the Secretary of State in their management of the Police Force. They are fully sensible how greatly the anxieties of their position are thereby increased; and they cannot but feel that, after the experience they have had, it would be a dereliction of their duty were they to abstain from declaring to Viscount Duncannon, most respectfully, but most earnestly, their opinion that, if their authority over the numerous body of the police entrusted to their immediate charge should in any degree be impaired, or the respect for the Commissioners, so necessary for maintaining the organization of the police be at all shaken, it will become extremely difficult, if not impossible, for them to carry on the service with credit to themselves or advantage to the public.

To what extent this letter was intended as a threat of resignation it is impossible to judge. There may have been implications in it which are now unrecognizable. Its effect on Duncannon was to infuriate him and rouse him to further action which clearly records his unsuitability for the post which Melbourne conferred on him. Melbourne cannot have been wholly unaware of all that was happening in the matter of the Wovenden case, and his refraining from interference with the activities of Roe and Duncannon lays him open to the suspicion of being in sympathy with them, in accordance with the general attitude of all Whig Ministers to Peel's police. It seems extremely unlikely that Roe and Duncannon could have acted against the police with such confidence if they were not conscious of the passive approval of Melbourne and the Cabinet.

Duncannon's reply took the form of a letter to the Commissioners from Samuel Phillipps, in which he wrote:

On that part of your letter in which you have made a reflection or insinuation—which Viscount Duncannon thinks it became you not to make—upon the mode in which the proceedings in the case of the Inspector Wovenden were originated and carried on, his Lordship directs me to observe to you that these proceedings were according to the ordinary and regular course, and that this was the only course which could be properly adopted in such a case.

Viscount Duncannon cannot think there is the least reason for assuming that the decision or proceedings in this case can in any degree impair the authority of the Commissioners. On the contrary, Viscount Duncannon believes that they will have a good effect upon the discipline of the police, and tend to the public good.

On the subject of the dossier of evidence which had accompanied the Commissioner's earlier letter, the Home Office remained silent, although the documents contained unanswerable

proof of Wovenden's complete innocence of the charge made against him and detailed proof of Roe's employment of Acting-Sergeant King as a spy, besides complete exposure of Roe's twisting and suppression of evidence during the enquiry, and his innumerable lies. Phillipps' letter, quoted above, and another which accompanied it under separate cover, seem to have brought Rowan to a painful but wise and courageous decision which certainly saved the police. It was a decision of a kind which was often made by Wellington in his loneliness in the early years of the Peninsular War. Phillipps' second letter contained a demand from Duncannon for full information regarding the manner in which all police business was conducted, by day and by night, at all police stations; for details of numbers of all ranks employed, and their respective duties; for details of all other organization which showed the manner in which police business functioned, and the manner in which communications passed between Superintendents and the Commissioners. Included in this letter was a sentence which contained an unpleasant sting: 'Lord Duncannon is also desirous that you should consider with Mayne whether on future appointments of Superintendents the salary may not be reduced to £150 per an., with advantage as well to the efficiency of that officer as to the general discipline of the service.'

A Superintendent's salary was £200 per annum, and it will be seen presently, in a letter written by Rowan, that a reduction to £150 would have made impossible the maintenance of the prestige and social standing which Peel and the Commissioners had planned as necessities for holders of the office. This fact had been cunningly foreseen by Roe. He had proposed the reduction, some time earlier, to a Police Committee, who had ignored his remarks. Roe's aim was to lower the status and authority of Superintendents and have them replaced by representatives of the magistrates. He was now obviously trying to bring this about by means of his influence with Duncannon, and making a start with the vacancy caused by the dismissal of Superintendent Lazenby.

Having decided that the interests of his men and of the whole police establishment required him to stay at his post, and to submit, temporarily, to these attacks, Rowan replied briefly to Phillipps on 7th November:

My dear Sir,

We shall immediately collect under one view the information called for by your letter of yesterday marked private. I fear, however, it will require a day or two to transcribe it so as to bring it all into juxtaposition, but it shall be done as soon as possible, and sent over.

I am, My Dear Sir,

Faithfully yours,

C. Rowan.

Ten days later, on 17th November, Rowan sent to the Home Office a complete dossier of all the information demanded, including copies of all instructions and orders which had been issued from 1829 onwards for the conduct of business at police stations, together with blank specimens of all forms, and a complete set of filled-in forms which had been received at Scotland Yard from the stations on one particular date. With regard to the proposal to reduce the salary of Superintendents, Rowan wrote tactfully, in full awareness of all the intrigue that it represented:

The Superintendent's situation is one of considerable responsibility. He is immediately answerable to the Commissioners for the conduct and appearance of a large body of men, in order that their duty to the public is in all respects efficiently performed so as to secure the peace and good order of the local district, to the satisfaction of the inhabitants. He is responsible that, in the numerous changes that take place in the police constables, the clothing of all those who quit the service, which is public property, shall be returned into store in good order, and, if not, to make good the deficiency. He is responsible for the regular weekly payment of the men under his charge, and for the correctness and regularity of his accounts, and in the performance of this weekly duty some of them are obliged to ride upwards of thirty miles. In the performance of his duties, the Superintendent is called upon to have frequent communication with magistrates, with parochial authorities, and with respectable inhabitants of his particular district, and for these reasons, as well as to support his authority, it is desirable that he should be able to maintain a respectable appearance, both with regard to his residence and his person. In fine, to be able to perform his duty to the public, the Superintendent ought to be a man of judgment, intelligence, and discretion, and capable of undergoing considerable fatigue.

Taking these circumstances into their careful consideration and looking to the sum that would be saved to the public by the reduction suggested of £50 for each of seventeen Superintendents, the Commissioners cannot say that they would be able conscientiously to recommend such reduction, or that it would in the end be attended with benefit to the public service.

This is a careful understatement of the value of Metropolitan

Police Superintendents, but it reveals the immense share in police success with which they should be credited. Most of them were ex-sergeants and sergeant-majors who had served in the Peninsula and had been selected by Rowan with Peel's cordial approval. Rowan trained them for police duty and guided them. When it is remembered that the 'magistrates', 'parochial authorities' and 'respectable inhabitants' in each district were at first unanimously, and often actively, hostile, it is not difficult to realize what is owed to these first, pioneering Superintendents who were 'called upon to have frequent communications' with them.

Rowan may have assumed that patience might eventually end the menace of Duncannon and Roe, but its sudden and complete disappearance must have been wholly unexpected. Duncannon was out of office before Rowan's letter on the subject of Superintendents had time to reach him. The Commissioners were always emphatic in showing the strict impartiality of the attitude both of themselves and of the police to party politics, but their relief can be imagined when they heard of the events which followed the death of Earl Spenser and the sudden removal of his heir, Lord Althorp, from the House of Commons to the House of Lords. These were, in quick succession, the King's refusal to accept Lord John Russell as Althorp's successor in leadership of the Commons; the royal summons to Wellington; and the consequent, post-haste despatch of a messenger to Italy to recall Peel from holiday for the purpose of forming a Tory Government. The quick suppression of the riot at Cold Bath Fields ended forever for the police the menace of their destruction by external enemies. Duncannon's sudden loss of office in 1834 was the last serious threat for many decades which the police and the Commissioners suffered as the consequence of injustice and incompetence on the part of their administrative superiors.[1]

[1] In contrast with Rowan's display of dignity, tact and patience, and the consequences which followed his mastering of his difficulties in 1834, it is interesting to note the somewhat similar experience which befell Colonel James Shaw-Kennedy, who curtly refused the offer of the Metropolitan Police Commissionership in 1829. In 1836 he accepted the offer of appointment as Inspector-General of the Irish Constabulary, after the reorganization of that body by Thomas Drummond. Two years later he impatiently resigned, complaining that the stipendiary magistrates in Ireland were trying to take control of the police out of his hands by corresponding directly with the Government in Dublin. (*Thomas Drummond*, by John F. S. Lennan, pp. 420-53.) It was proved, after his resignation, that his

The Wovenden case and the troubles for the Commissioners which accompanied it remained for some time almost unnoticed by the public and the Press. In his decision to submit to Duncannon, Rowan may have been partly influenced by the slow appearance in 1834 of evidence of the growth of public approval of the police which he had envisaged in 1829 would result from the behaviour which he taught his men. His system of offering a private enquiry at Scotland Yard into complaints against policemen, as an alternative to court procedure, was becoming popular to such an extent that the Press was generally commending it. The combined parish campaign of calling public meetings and passing resolutions demanding disbandment was rapidly failing, on account of the appearance at these meetings of citizens with individual experience of police benefits who often moved, and had carried, counter-resolutions praising the police and demanding their maintenance in being. To meet this embarrassment the organizers of the meetings were changing their tactics and resolving merely that the vestries should in one way or another share control of Metropolitan Police administration.

As the result of pronouncements by some of the judges, awareness and dislike of the many injustices from which the police suffered were beginning to find expression even in the magistrates' courts, and there were many instances of severe sentences being passed, as salutary warnings, on individuals found guilty of assaulting policemen in the streets. Unanimous approval of police action expressed by juries was being reported in the Press with increasing frequency and, following the lead of *The Times*, reputable newspapers were giving prominence to, and deploring, all cases in which merely nominal fines were inflicted as punishment for brutal attacks on policemen. These public expressions of sympathy in the Press inspired the Commissioners to use a new tactic in defence of their men. On every occasion when a false or exaggerated report of police behaviour appeared in a newspaper, a dignified but modest reply giving the true facts was promptly sent, and reputable editors, again following the leadership of *The Times*, made a habit of publishing these, sometimes as 'a correct report' but sometimes merely as 'another version', in accordance with the degree to

complaints were founded on a misapprehension. Posterity appears to have reason to be glad that he declined Peel's offer in 1829.

which their attitude was sympathetic towards the police. The Commissioners were receiving daily at Scotland Yard many letters, both anonymous and signed, praising the police and expressing gratitude for the amenities, order and security which they were providing. Such letters were steadily tending to outnumber others which were exclusively critical or abusive. In the past these had been the only kind which the public had been in the habit of writing.

There is distinct evidence that the growth of public approval of the police was inspiring, in the Home Office, a fear of its possible effect in increasing the prestige and power of the Commissioners and their ability to become less amenable to departmental authority. The public had before it also the findings of the Parliamentary Committees which Melbourne had appointed in 1833 and 1834 to enquire into police affairs and activities, following the riot at Cold Bath Fields. One Committee handled the complaints about police action and behaviour on this occasion. Another enquired into the use by the Commissioners of policemen in plain clothes for attendance at political meetings, and the particular behaviour of one of these men, William Popay, who was accused of having as a police spy, helped to instigate Ultra-Radical activities. A third Committee was ordered to report on the state of the police of the Metropolis. Finally the work of all three Committees was combined and put into the hands of a parent Committee which issued its Report in 1834.

There are some curious facts about the constitution and work of these public enquiries which deserve special mention. Whig Ministers in the eighteen-thirties never lost either their dislike of the Commissioners and the police or their determination, knowing their value, to keep them in being, and it is interesting to notice, in conjunction with the Wovenden story, the curious fact that all the Committees included members who were thoroughly briefed with full and detailed information for the defence of the police. These members seem to have conducted practically the whole of the examination of witnesses who appeared with complaints, and to have had a considerable share in conducting proceedings and drafting Reports, but it is clear also from the evidence which they secured by their activities that their work was honest and above suspicion. The opportunity of appearing before the Committees and making charges

against the police attracted a swarm of their unscrupulous enemies who were unaware of the trap that was laid for them, and they were mercilessly, and often amusingly, forced under questioning to admit either that they had been deliberately telling lies or that the facts they had asserted had no other basis than rumour.

The Report of the parent Committee completely exonerated the police from all charges made against them in connection with the riot at Cold Bath Fields. The attendance of policemen in plain clothes at Radical meetings was proved to have been ordered by Melbourne, who had ordered also, meanly, that the extra costs of this activity were to be met from the Police Fund. Popay, however, who had obviously been engaged in detective work in connection with the search for Culley's murderer, was found guilty of having exceeded his instructions, and the Committee, while approving the use of policemen in plain clothes, ordered his dismissal. Under the third heading of their Report the Committee welcomed what they called 'the present orderly state of the Metropolis' and recorded this as having been created by the Metropolitan Police, adding:

> Much, in the opinion of Your Committee is due to the judgment and discrimination which were exercised in the selection of the individuals, Colonel Rowan and Mr Mayne, who were originally appointed and still continue to fill the arduous offices of Commissioners of Police. On many critical occasions, and in very difficult circumstances, the sound discretion they have exercised, the straightforward, open and honourable course they have pursued whenever their conduct has been questioned by the Public calls for the strongest expression of approbation on the part of Your Committee.

In answer to the claim of the parishes for restoration of local control of police, the Committee announced, with wise warning regarding wider aspects which had been unheeded in the provinces for many years: 'It would augment jealousy . . . and would diminish that unity of purpose which is essential for the maintenance of order and the prevention of crime. On the score of expense also . . . it would neither benefit the individual parishes nor tend to the general economy.'

After recommending that the Horse Patrol, all constables of the stipendiary magistrates' courts, and the Thames Police should be transferred to the Metropolitan Police; that the Commissioners' jurisdiction should be extended to the City; and

that a Pension Fund should be established, 'for some provision for superannuation allowances and rewards for long and faithful service', the Report ended with the following statement:

> They deem it their duty . . . to add that the Metropolitan Police Force, its management, and the principles on which it is conducted deserve the confidence and support of the House. That it is well calculated to check crime, and to maintain the peace and order of the Metropolis both effectively and constitutionally. And there is satisfactory evidence of this in the fact that on no occasion since the establishment of the Metropolitan Police has the military authority been called upon to assist the civil power in repressing any disturbance.
>
> The conduct of the Commissioners throughout these enquiries was highly honourable to them; and from the evidence of various witnesses Your Committee are of the opinion that the conduct of the men, generally, deserves the approbation of the public. . . .

Having secured this favourable Report which thoroughly relieved them from the danger of having to disband the police, the Whig Ministers proceeded to ignore all its findings, with the sole exception of the recommendation regarding the Horse Patrol. For some reason this had been removed from Bow Street control in the eighteen-twenties and was being administered by the Home Office from a small headquarters in Cannon Row. Home Office officials had no objection to being rid of this small force, of about seventy men, who did duty only at night, patrolling the roads leading out of London. Transference of the Horse Patrol to the Metropolitan Police was effected early in 1835; and it was the nucleus of the Mounted Branch.

It is an interesting fact that any relief from their difficulties which the Commissioners may have imagined would follow the return of the Tories to power was not forthcoming. During the famous Hundred Days of Tory Rule, Peel's Home Secterary, Henry Goulburn, although friendly, gave Rowan and Mayne almost as much trouble as his Whig predecessors. His attitude was probably inspired by fear of giving the impression that the police were likely to be favoured and strengthened by their Tory creators. Goulburn's blindness to the growth and possible consequences of public approval of the police made his short career as Home Secretary in 1835 almost as embarrassing to the Commissioners as was that of Duncannon in the previous year, but Goulburn was innocent of evil intention. The story of his remissness begins in 1834, before he became Home Secretary,

with some strange happenings in Marylebone. This parish was the centre and inspiration of the combined vestries' attack on the Commissioners and demand for abolition of the police, and there are few stories in English history which make pleasanter reading than that of the effect on the vestrymen and parishioners of Marylebone, and their reaction to Duncannon's unjust dismissal of Superintendent Lazenby, when all the facts became known. When they heard the truth, the vestrymen met and passed a resolution recording their opinion that Lazenby was 'a most efficient and useful officer'. A Committee was formed to plead for his reinstatement, and Duncannon was asked to receive a deputation of parishioners and accept a plea on Lazenby's behalf in the form of a prepared memorial, which ended with the following words:

> The Committee desire to inform your Lordship that they are actuated by no hostile feeling towards the Government, indeed they cannot sufficiently admire the vigilance maintained by your Lordship over the Police Force, but solely by an anxiety to befriend a man who has passed some of the most active years of his life in the service of his country both in a military and civil capacity. They have no doubt that a good character will have its due influence on your Lordship's well-known disposition to reward merit, and encourage that good feeling which is daily gaining ground between the Police Force and the Inhabitants of the Metropolis.

Duncannon refused to receive a deputation and to reinstate Lazenby. When Goulburn assumed office the Marylebone Committee again asked for a deputation to be received, and this time their request was left unanswered. As knowledge of the treatment of Lazenby became more widely known, public sympathy with him and understanding of the many injustices from which the police were suffering rapidly increased. Others, including the Commissioners and many Army officers, exerted themselves on Lazenby's behalf. To all of them the next Home Secretary, Lord John Russell, announced firmly that he declined to interfere with the decisions of his predecessors. We should not forget today that the sufferings of many police martyrs has been not a small part of the cost of our pleasure in possessing police who are superior to all others in the world.

In another direction Goulburn's blindness to evidences of the change in public opinion had consequences which recoiled embarrassingly, and distressingly, on the heads of the Commissioners. A certain policeman, William Palmer, was so successful

in frustrating evildoers in the neighbourhood of his beat in Lambeth that they combined to revenge themselves on him by setting fire to buildings, and producing false evidence and witnesses on each occasion, in the attempt to prove that he was the culprit. He was charged with arson, but the efforts of his accusers inspired the Grand Jury, who received the case, not only to throw out the bill on sight, but to state publicly their belief that he was the victim of a conspiracy. By the day of his release he had been in prison for ten weeks and had incurred legal expenses for his defence amounting to £208 . 11 . 2.

Palmer's policemen colleagues opened a subscription list in order to provide this sum. The Commissioners, hearing of this, and assuming that the Home Office would provide the money, informed Palmer's friends that a subscription list was unnecessary and that the money so far received should be returned to its donors. The Commissioners then sent an account of the affair to Goulburn, asking him to sanction payment of the money required by Palmer. They stated: 'He is somewhat cheerfully disposed to pass by the long and painful imprisonment he underwent, yet he is totally unable to bear or pay the heavy expense.' Goulburn replied: 'The Secretary of State is of opinion that it would be very undesirable to order the payment of the expenses incurred by Palmer, in defending himself against this charge.'

The immediate sequel is extremely interesting. Palmer's case infuriated the public, who expressed their indignation in a wholly unprecedented manner, with very active help from the Press. A public subscription list was opened. The Member for Lambeth raised the subject in the House of Commons by making a furious attack, which was continued and amplified by the Press, not on Goulburn but on the Commissioners. They were accused of having ruthlessly prevented Palmer's colleagues from coming to his assistance; of having promised to pay his debt and then breaking their promise; of having withheld legal aid in his case while providing it for others similarly situated; and of having refused to provide funds to enable him to prosecute his false accusers.

The truth was that every penny of the costs of legal aid and relief for policemen from the consequences of injustice and physical suffering had to be wrung from the Home Office by

hard pleading in each individual case. In the times of Peel, Melbourne and Duncannon money for legal aid had usually been granted, but always reluctantly, and frequently it was only a fraction of the amount required. Goulburn seems to have been the first Home Secretary to give a flat refusal in an outstanding case of gross injustice and large-scale remedial requirements. Public reaction must have surprised him, but he remained unmoved by it, perhaps because it was the Commissioners and not himself who were the target of public criticism. If they had defended themselves by stating the facts publicly, the immediate consequence would have been to raise the whole question of the use of public funds in matters concerning the legal liabilities of policemen, and as the Commissioners knew well that the public was far from ready to take a sympathetic view of such a procedure, they bowed silently before the storm. They appear to have been rescued eventually by Russell, but the only evidence of this is a remark made in the draft of a letter of a later date from Phillipps, in the Home Office files in the Public Record Office, to the effect that Russell was 'disposed to make some allowance to the Metropolitan Police officer, Palmer, towards the payment of expenses incurred by him'.

Russell was less unsympathetic in his treatment of the Commissioners than were his Whig predecessors, Melbourne and Duncannon, but he was not less frustrating and embarrassing. He continued to ignore almost completely the findings of the Police Committee of 1834, but he made a concession to ratepayers by making the central Government responsible for payment of one-fourth of the Police Rate of eightpence in the pound, a step which removed for many well-to-do citizens part of their original grievance against the police. Russell also relieved the Commissioners from having to plead in each individual case for financial help for policemen who were obliged to leave the Force on account of injuries inflicted on them while on duty. He made automatic for all such cases the granting of the miserly sum of £30, which he later increased to £35 and then to £40. What policemen had to suffer in order to become eligible for these paltry gratuities, which were all that was given to them, is illustrated by an attack made on one of them in 1836, at a time when such outrages were rapidly diminishing in frequency but not in atrocity. The Commission-

ers reported a case in which the surgeon had described the victim 'permanently injured, cannot assist his family ever, but death will soon terminate his sufferings'. His ungrateful country gave him £30.

In most of his dealings with the Commissioners, Russell seems to have been deliberatively negative and obstructive. They were particularly anxious to be allowed a uniform of office, for good reasons which Mayne enumerated with typical clarity in a letter of 3rd September 1836, calling attention to:

> '. . . the great personal inconvenience and embarrassment they experience in the performance of their duty, on all public occasions, from not having any distinguishing dress by which they may be known as the Commissioners of the Police . . . the Commissioners find themselves unknown to many even of the police as well as to the soldiers on duty. They are impeded in moving about as may be necessary, sometimes unable to make their way through the crowd, and when allowed to pass the lines kept by the police and soldiers, others are encouraged to attempt to pass the lines also, and irregularity and breach of the peace is thus caused.
>
> The Commissioners have abstained from making an earlier representation to your Lordship on the subject from an unwillingness to move in a matter apparently of personal consideration, and are now induced to do so in consequence of having, on a recent public occasion, most forcibly experienced the difficulties to which they have alluded, from which very serious evils might have arisen. . . .
>
> The Commissioners request Your Lordship to submit to the King this petition that His Majesty may be pleased to take the case into consideration, and grant them an official dress for all public occasions at which they are required to be present as Commissioners of Police.[1]

Russell did not even acknowledge receipt of this letter. About this time Sir Frederick Roe was given a baronetcy, in addition to a special uniform and place at Court as Chief Magistrate of Bow Street. As the result of his action in the Wovenden case, and of a violent but ignored attack on the Commissioners which he made when giving evidence before the Committee of 1834, he had become known to all London as a notorious enemy of the police, and it seems that in this rôle he was regarded as useful by the Whig Ministers. Their fear was not that of crude police power, which would have been justifiable, but of the uses to

[1] This was the first formal petition which they presented to Russell. The particular incident to which Mayne refers is mentioned vaguely in other letters and suggests that the Commissioners were actually manhandled by some of their own men to whom they were unknown.

which the Commissioners were showing signs of being able to put the increasing power and prestige they were deriving from popular approval of themselves and their men, in seeking redress of grievances and relief from despotic ministerial authority. It was a fear which today still haunts the inner councils of the Police Department of the Home Office and fogs official vision of the true needs of police administration.

That the meanly exercised practice of trying to control the Commissioners by aggravating the long strain of their quarrel with Sir Frederick Roe without conceding his demands was still in use at the Home Office in 1837 is seen in some letters recently discovered at Scotland Yard. To some extent they are unique among all others in their revelation of the personality of Charles Rowan. On the evening of 4th July 1837, in the absence, somewhere, of Mayne, Rowan was alone at Scotland Yard. King William IV had died on 20th June, and arrangements were in train for his burial at Windsor. At seven o'clock two letters arrived which were both, significantly, written at the Home Office. One from Phillipps, written on the previous day, was addressed to the Commissioners. The other, written on the 4th by Roe, was addressed personally to Rowan:

Whitehall, 3rd July, 1837.

Gentlemen,

Application having been made by the Board of Green Cloth for the assistance of the Police during the Ceremonial of the Lying in State and Funeral of His Late Majesty, I am directed by Lord John Russell to desire that you will give the necessary orders for the attendance of one hundred of the Metropolitan Police at Windsor Castle on Friday and Saturday next.

Lord John Russell thinks that it will be desirable that the whole of the men should be at Windsor on Thursday night and requests you will direct the superior officers whom you select for the duty to communicate with the Chief Magistrate who will be at Windsor on Thursday night, and to receive his instructions, in conjunction with those of the Lord Steward of the Household, as to the precise nature of the duties they will be required to perform.

I am,
Gentlemen,
Your most obedient servant,
S. M. Phillips.

Home Office, July 4, 1837.

Dear Rowan,

I find Lord John Russell has received the usual application for Police at Windsor Castle, and that Mr Phillipps has written to request you to

send 100 men. This is about the number which Capes, the resident (Bow Street) officer at the Castle thought would be required when I was at Windsor on Sunday to meet Sir F. Watson.

I afterwards went over the ground and am satisfied that we shall do very well.

Would you have the goodness to let the superior officer get down by 4 o'clock Thursday, as he will naturally act with my directions. I could go over all the ground with him on that afternoon. The difficulty will I am afraid be in getting lodgings for your men . . . perhaps you will allow me to suggest sending down somebody tonight to see what arrangement can be made for their accommodation.

Yours very truly,
F. A. Roe.

The immediate effect of these two seemingly harmless letters on Rowan is seen in the copy of a note which he at once despatched hurriedly to Mayne:

4th July.

My dear Mayne,

It is after 7 o'clock. I have only time to say that I have this instant received a letter from Phillipps, official, desiring one hundred men to go to Windsor, and take instructions from Sir F. R. the Chief Magistrate.

I have an unofficial from Sir F. at the same time to the same effect.

This has made me quite sick at heart seeing what it must lead to.

I shall be afraid to write without your concurrence and I therefore fear you must come up early in the morning.

Yours in great haste,
C. R.

Mayne must have returned early on the following day, and composed with Rowan a long, joint letter, from which the following are extracts:

Metropolitan Police Office,
5th July, 1837.

To S. M. Phillipps, Esq.

Sir,

The Commissioners of Police beg to acknowledge the receipt of your letter of the 3rd inst. to acquaint them that 'Application having been made. . . .' [entire letter repeated]

The Commissioners beg to acquaint you, for the information of Lord John Russell, that they will give the necessary orders for the attendance of one hundred of the Metropolitan Police at Windsor Castle on Friday and Saturday night. . . .

With reference to that part of your letter in which it is stated 'That Lord John Russell requests the Commissioners will direct the superior officers whom they select for this duty to communicate with the Chief Magistrate . . . and to receive his instructions', the Commissioners beg

leave to submit most respectfully, under a strong sense of a duty their situation imposes on them, for his Lordship's consideration, that this is the first occasion, since the establishment of the Metropolitan Police, that the Commissioners have been directed to take such a course, as to place a party of the Metropolitan Police under the orders of the Chief Magistrate, or any of the Police Magistrates . . . .

Several paragraphs follow covering quotations in detail of the Commissioners' powers and duties, from official documents, and quoting also, in full, Melbourne's pronouncement of 25th November 1831.[1] The letter to Russell continues:

The Commissioners having laid the foregoing statement before Lord John Russell, trust his Lordship will allow them, with the utmost respect, to say that the sending of a large party of the Metropolitan Police upon a duty, for which they are to receive their instructions from the Chief Magistrate of Bow Street must, in its direct consequences, the Commissioners apprehend, be destructive of the general constitution of the Police Force, and break down the immediate link of direct communication between the Commissioners and all ranks of the Police which is necessary, as well for the general government of the whole, as for their regulation and guidance, when engaged in any particular service.

The Commissioners can no longer retain that control over the Police which is due to their own station, and by possessing which they alone can be enabled to carry on the duties heretofore devolving on them, or be held responsible to the public for the conduct of the Police on all occasions.

The Commissioners take the liberty of proposing, should it meet his Lordship's approbation, that, in order to avoid the sequences to which they have alluded, one of them will go down to Windsor on the present occasion and remain there as long as may be considered proper, in readiness to act in execution of the duties of a magistrate, as may be necessary for the direction of the Police there, and thus secure the efficient performance of their duties by the Police, under the direction of their own known and responsible heads. . . .

I have the honour to be,
Sir, Your most obedt. servant,

The existing copy of this letter carries no signature. Mayne's hand in its drafting is unmistakable. The Commissioners received a reply to it on the day on which it was delivered. Attached to Phillipps' letter of 3rd July at Scotland Yard is the following penned note:

5th July.

Mr Phillipps desires a memo. may be made that the above arrangement was altered, and that it was arranged the Metropolitan Police should act

[1] See p. 171 *supra*.

under the orders of their own officers, who will receive the necessary instructions from the Lord Steward instead of the Chief Magistrate.

Mayne went at once to Windsor, and found endless difficulties, as the Home Office had informed Sir Frederick Roe, and no one else, of the change of orders. The Court authorities, the mayor, and the local magistrates refused for some time to recognize Mayne's authority, but became co-operative later. Mayne recorded his adventures in a memorandum on his return. His omission in it of any mention of Sir Frederick Roe's presence is curious.

The speed with which letters were written and exchanged on 5th July was remarkable. Two others bear this date. Together they represent the final success of Rowan, in dealing with an unscrupulous and inveterate enemy, which in many ways can be seen to be something more than a mere departmental victory. Roe never troubled the Commissioners again:

5th July, 1837.

Dear Sir Frederick,

Along with your note of last evening we received an official letter from the Home Office upon the same subject. We have sent off an Inspector to endeavour to secure quarters for the men to sleep in, during the day I suppose they will have enough to do.

In what I am now going to say I feel assured you will allow me to deal frankly with you, and that you will not for a moment imagine there can be anything intended personal to yourself, but we do feel called upon, with respect to our own position, to make a representation to the Secretary of State as to former decisions, that our men were to be solely under our orders and directions, subject to the approbation of the Secretary of State, and to ask permission officially for one of ourselves to attend on the occasion to obviate the difficulty. Personally, I believe that none of us much covet the job, but you know too much of the world not to be aware that we all like to maintain our privileges.

Believe me, faithfully yours,
C. Rowan.

5th July, 1837.

My Dear Rowan,

I assure you I am quite satisfied that in the course you adopt there is nothing personal to myself and, tho' I hope I should be as considerate in the directions I gave to your men as the magistrates under whom they are placed either at Epsom or Egham, or when they are sent into distant counties, I can in no way find fault with you for taking the course you do.

Believe me,
Always Yours Faithfully,
F. A. Roe.

CHAPTER XII

CHARLES ROWAN AND EDWIN CHADWICK

THE visible decrease of crime and disorder in London and the increasing approval with which the New Police were being regarded created a strong desire in other towns and cities for permission to adopt them as a model. In 1835 the Whig Government secured the passage of a Municipal Corporations Bill which abolished the existing local government machinery in most of the principal boroughs and created new Corporations with authority to levy rates and control municipal affairs. These Corporations were empowered also to create and maintain, under the control of a Committee of Corporation members called the Watch Committee, a Police Force in any form they desired, and to administer it and to provide all its costs, in complete independence of the central Government. The immediate sequel was a flood of requests from the boroughs to the Home Office, and to Scotland Yard direct, for information and practical help in organizing the new Borough Police Forces and others on the pattern of the Metropolitan Police.

This permission to establish police forces in the boroughs represented a complete reversion to exclusively local control of police, and Whig Ministers seem to have ignored the obvious dangers and threat of confusion which were likely to be the consequence. Confusion was minimized by the fact that the London Commissioners, with Russell's warm approval, promptly sent trained policemen of all ranks to more than two hundred provincial localities[1] in response to direct requests, and provided the borough forces with the unifying influence of the organization, principles and values of the police of London. The original Scotland Yard *Handbook of General Instructions* became to a greater or lesser extent the basis of organization for all the

[1] Including the towns Bristol, Liverpool, Manchester, Coventry, Hull, Cardiff, Newcastle, Southampton, Plymouth, York, Daventry, Derby, Rugby, Leicester, Hertford, Glasgow, Dundee and Dublin.

borough forces. It was in order to meet demands for it from the provinces and from all parts of the Empire that the Commissioners reprinted it in 1835 and reissued it in January 1836, together with all important orders which they had made for the London police force since its inauguration.

The new forces in the principal towns and cities were far from being an unqualified success but most of them functioned satisfactorily and with some degree of uniformity. A serious trouble was their effect on the rural areas of the counties beyond the boundaries of the boroughs. Town criminals proceeded to operate in the adjacent counties where there were no police and crime reduction in the towns was soon seen to be accompanied by a serious increase in crime in the counties. Whig Ministers were forced to realize that provision of police for the counties was essential.

At this stage of the story of the immense part played by Charles Rowan in police history it becomes necessary to disentangle and clarify Edwin Chadwick's close association with him, and this requires, as a preliminary, some detailed notice of Chadwick's curious mind and personality. He was the product of humble Lancashire Methodist ancestry. His father, James Chadwick, was restless-minded, literary and musical. For some time he had been an enthusiastic supporter of the early ideals of the French revolutionaries and of Tom Paine, but as the course of events in France brought disillusionment, he settled down quietly to mild Radical journalism. Eventually he became editor of the *Western Times*. On taking up this appointment he left his son Edwin, who was then eighteen, serving his apprenticeship in an attorney's office in London. Later he enabled him to become a barrister.[1]

During his legal training Edwin Chadwick supplemented his income by writing Press articles on slums, poverty, disease, gin consumption and other causes of human suffering. He became intimate with the Francis Place circle of Moderate Radicals and later with that of the Utilitarian disciples of Jeremy Bentham and James Mill, who supplied the Place group with many of their ideas. A third outstanding group of reformers were the humanitarians who followed the leadership of

[1] *The Life and Times of Sir Edwin Chadwick*, by Professor S. E. Finer, 1952. *The Health of Nations*, by Sir Benjamin Ward Richardson, 1887.

Howard, Ashley, Wilberforce and others and were closely linked with the Evangelical Movement, whose numerous followers in upper-class circles devoted themselves mainly to the cause of the religious conversion of individuals, and to advocacy of charitable financial relief of social suffering. Edwin Chadwick took upon himself the task of correcting what he believed to be the impractical views and aims of most of these groups, by expounding a practical utilitarian programme for achieving the desired reforms which was markedly, but not entirely, of Benthamite origin. Charles Rowan, his senior by seventeen years, was definitely, but unobtrusively, one of the evangelicals. In the early decades of the nineteenth century many of these were pardonably unable to visualize the State as having responsibility for the existence or relief of poverty, disease and economic suffering, and were seemingly vanquished intellectually, first by Utilitarian dialectic, and later by that of scientists and Fabians which replaced it. The claim of the evangelicals that personal possession of religious faith by individuals is a necessity of community welfare of any kind is now receiving more thoughtful attention, as doubts and fears multiply regarding the road along which 'scientific-humanists' and some other planners and scientists are trying to lead us; especially in view of the difficulty, acknowledged by many of them, of finding, elsewhere than in the sphere of Christianity, the necessary ethic for the individual without which the visionary ideal of the Welfare State will inevitably be found to be illusory.

Chadwick's modern biographer[1] has given us a book which is an unusually attractive combination of scholarly history and pleasurable reading, although it is slightly marred by some misconception of the importance of the part played by its subject in police history. The following extracts from a sketch of Chadwick's curious personality offered in the opening pages are revealing. 'Every element in each of his plans was borrowed but he combined diverse ingredients so incongruously as always to produce a completed scheme of striking originality . . . although his mind when it was open was more open than most, it was never open for very long . . . positive and dogmatic. . . . The source of his failures and successes alike was his insuperable conviction that he was right . . . he never confessed to an error

[1] Finer, *Sir Edwin Chadwick.*

. . . always headstrong, importunate, and impatient of delay and opposition . . . he was endowed with far less than the average degree of compassion, humour, or sympathy. . . . Nor was he in the deeper sense a religious man. Staunch churchman he was. . . . It is doubtful whether he ever understood a human being . . . he was entirely extroverted . . . his colossal egotism was undeviating. . . . His religion was the public good, but Edwin Chadwick was its prophet. . . . His characteristic emotion was not pity or love, but indignation and anger . . . never an easy colleague . . . utterly lacking in tact, graciousness, and diplomacy. . . . His greatest handicap was that he lacked a sense of the comic . . . bore, fanatic and prig, to some extent Chadwick was all three.'

We owe to the pioneer and strenuous efforts of Edwin Chadwick the beginnings of all the blessings of Public Health, clean water and sanitation which we enjoy today, and also the manner in which a host of other practical reforms have taken shape. This study is concerned with only one aspect of his life work: his prolonged but intermittent attempts to secure soundly-based and smoothly functioning police administration, and they represent one of his most outstanding failures. The story of his work in this connection reveals all the values and defects which Professor Finer has rightly attributed to him, but there emerges from it also the truth that Chadwick, although he was clearly gifted to see more deeply into a subject than most of his contemporaries, was blind to everything beyond the surprisingly narrow limits of this extra power of vision. His quarrelsomeness and inability to work amicably with his colleagues were the primary cause of many of his frustrations. In interesting contrast is the smoothness of his long and close association with Charles Rowan. It would be difficult to find anywhere in history another instance of such friendly partnership between two men who were so strikingly different in temperament and personality.

It is interesting to find that the means by which Chadwick first secured fame was a Press article on police published in 1829, and that one of the last of his copious writings was a long letter to the *Daily Chronicle* entitled 'The Police and Crime of London compared with those of Continental States' which he wrote or dictated at his house at East Sheen on 2nd July 1890, four days

before his death, at the age of ninety. In 1828, when Peel appointed his Police Committee to pave the way for the creation of police in London, Chadwick, who was then twenty-eight, submitted a short memorandum of his views on the subject, which the Committee asked him to elaborate. He did so at some length, and his copying clerk lost the manuscript. By the time it was found the Committee had completed their labours and issued their Report. Chadwick's friends advised him to publish his views on police, and he did so in an article published by *The London Review* and entitled 'Preventive Police'. It caused a sensation among the Utilitarians and brought Chadwick the intimate friendship of the ageing Jeremy Bentham, who appointed him his secretary.[1]

On the basis of the views expressed in this article Chadwick characteristically claimed to be the inventor of Preventive Police. His biographers have accepted his claim without question. In view of the fact that the idea of preventive police had been expounded and discussed for eighty years before 1829, and that its advocates had included Henry and John Fielding, Newcastle, Shelbourne, Archibald Macdonald, Pitt and Patrick Colquhoun, whose writings on the subject had been widely read and discussed in England and on the Continent, Chadwick's claim to be the inventor of the idea seems at first sight remarkable effrontry. It becomes excusable when it is seen that he never in all his life clearly understood the meaning of 'prevention' as used in connection with police and as propounded by its earlier advocates and developed by Sir John Moore and Charles Rowan. The use of the word 'prevention' in the Metropolitan Police Act of 1829, which defines the duties of the Commissioners as being 'the preservation of the peace, the prevention of crimes, the detection and committal of offenders', and describes the employment of policemen as being intended 'for preserving the peace, and preventing robberies and other felonies, and apprehending offenders against the peace', came from well-filled pigeon-holes in the Home Office, not from Edwin Chadwick.

Throughout his life, except for some years during and following his association with Rowan, Chadwick was never able to escape wholly from the belief that to prevent crime was 'to

[1] Finer, *Sir Edwin Chadwick*, pp. 29-31.

use the weight of the law to prevent the prospective criminal's choice being free', and that the function of preventive police was 'placing difficulties in the way of obtaining objects of temptation.'[1] The Moore-Rowan conception of prevention was almost as far beyond his understanding as it was beyond that of Wellington, who also conceived prevention as an ideal obtainable only by use of 'the weight of law'. Neither could visualize law-observance and order being induced successfully by defined behaviour on the part of administrators and servants of law, as it was by officers trained by Moore and by policemen trained by Rowan, who reduced to slight proportions, in regiments and among people in the streets, the need for using 'the weight of law'. It can be said of Chadwick that there was more confusion in his mind on this subject than there was in the mind of Wellington, but to Chadwick's credit are the immense efforts he made during his association with Rowan, and particularly in the eighteen-fifties, after Rowan's death, to save planned police administration from the many absurdities and anomalies which, at the highest levels, are dangerously hampering its effective functioning today. For his failures in this connection in the eighteen-fifties Chadwick is wholly blameless.

Chadwick's work for Poor Law reform and his work as Secretary of the Poor Law Commissioners provided him with easy access to Cabinet Ministers. He recorded later:

> In 1837, I proposed to Lord John Russell the appointment of a small Commission for the examination of the provincial constabulary made up of parish constables, and to examine it with a view to the formation of a general preventive police. He gave me as a colleague Colonel, afterwards Sir Charles, Rowan, and Sir Charles Shaw Lefevre, afterwards Lord Eversleigh, as a representative of the county magistrates, but who left us when he became Speaker.[2]

This statement is typical of Chadwick's irritating habit of representing himself as the sole originator of almost every police idea with which he was connected.[3] The creation of borough police had made similar provision of police in the counties an urgent necessity and a much discussed problem in ministerial circles, but Chadwick in his statement makes no mention of the true facts. Rowan, Shaw Lefevre and he com-

[1] Finer, *Sir Edwin Chadwick*, p. 16.
[2] *The Health of Nations*, vol. II, p. 392.
[3] The Commission was appointed in 1836.

prised the Royal Commission appointed in 1836 to enquire into means of creating a Rural Constabulary, and after some interruption and reconstitution following the death of William IV and the accession of Queen Victoria, they submitted their first and only Report in 1839. Shaw Lefevre was never more than a figurehead in this Royal Commission, and the work was done almost exclusively by Rowan and Chadwick. Rowan obviously supplied the basic police plan which was proposed. Chadwick is said to have written the Report, and there is no reason to doubt this assertion, but its details are obviously the product of their combined thought and labour. Rowan's influence on his younger colleague can be clearly seen in it, as well as many of the 'Poor Law' and 'vagrancy' beliefs of Chadwick.

One curious point about the Report is the almost total neglect by social historians of the very interesting and valuable material which it contains. This neglect is probably due partly to the facts revealed about law-breaking proclivities in the provinces, which have united writers of all classes and political views in recognizing the expediency of ignoring them. Another curious fact is the omission, from such records as have been made of the work of the Commission, of mention that its Report was an interim one, dealing only with the last of the Commission's four self-chosen references. As its activities and their consequences represent an extremely significant milestone in the evolution of modern police administration, it is worthwhile recording here the opening words of the Report and the full wording of the references:

His late Majesty King William IV having been pleased to issue under the Great Seal, bearing date the 20th of October, 1836, authorizing and directing the Commissioners therein named to inquire as to the best means of establishing an efficient Constabulary Force in the counties of England and Wales, for the prevention of offences, the detection and punishment of criminals, the due protection of property, and the more regular observance of the laws of the realm; and Your Majesty having been graciously pleased on your accession to revoke such Commission, and afterwards to renew the same, and to continue the same Commission in the exercise of the functions devolved upon them by His Late Majesty:

We, Your Majesty's Commissioners, now humbly beg leave to report to Your Majesty that we have inquired 'as to the best means of establishment of an efficient Constabulary Force in the counties of England and Wales'; especially with a view to the following matters:

I. The Prevention of Offences.
II. The proceedings before trial, by which the detection and apprehension of criminals may be rendered more certain.
III. The public service which may be obtained from such Constabulary Force, otherwise than in the preservation of the peace.
IV. The manner in which such Force should be appointed and paid.

After commenting on the need for a paid constabulary, composed of trained men appointed from a trained force, and submitting that these should be wholly independent of local influences and private connections with regard to their appointments but under local direction with regard to their local duties, and under 'general directions from one general and responsible executive authority', the members of the Royal Commission conclude their Report with the following words:

We therefore propose

I. That as a primary remedy for the evils set forth, a paid Constabulary Force shall be trained, appointed, and organized on the principles of management recognized by the Legislature in the appointment of the Metropolitan Police Force.
II. That for this purpose on application in writing under the hands and seals of a majority of Justices assembled at Quarter Sessions of the Peace for the county, setting forth the insecurity of person and property, and the want of paid constables, the Commissioners of Police shall, with the approbation of the Secretary of State for the Home Department, direct a sufficient number of constables and such officers as may, upon such examination as the said Commissioners shall make or direct, be by them deemed adequate for the due protection of life or property within the county.
III. The Force shall be paid one-fourth from the Consolidated Fund and three-fourths from the county rates, as a part of the general expenses of the whole county.
IV. That the constables so appointed shall report their proceedings to the magistrates of the Quarter and Petty Sessions where they are stationed.
V. That the superintendents shall be subject to dismissal upon the representation of the Justices of the Peace in Quarter Sessions, and that the sergeants and constables shall be subject to dismissal upon the representation of the Justices of the Peace in Petty Sessions.
VI. That the magistrates shall frame rules and regulations for the service of process and attendance at Petty or Quarter Sessions of such Force, which rules shall be submitted to the Secretary of State, and, if approved by him, shall be binding.
VII. That the Commissioners (of Police), shall frame rules and regulations for The General Management of the Police, which rules shall, on the approbation of the Secretary of State, be binding.

The proposal was, briefly, that Rowan and Mayne, and their successors, were to train in London police for the whole country and supply these to provincial areas in response to requests from local magistrates only; and these requests were to be strictly subject to the approval of the Metropolitan Police Commissioners and of the Home Office. Chadwick's subsequent comments will reveal presently that the members of the Royal Commission were envisaging total abolition not only of control of police by local authorities other than magistrates, but also of the recently created borough police forces, not because they had failed as police but because there was much evidence of their corrupt mismanagement by municipal authorities. Not the least startling item of the proposals is the degree of local control which is conferred on magistrates, in view of Rowan's experience of them in London. The whole plan was nevertheless a courageous and sensible attempt, in the circumstances of the times, to face the problem of securing smoothly-functioning adjustment of central and local control of police. This problem has never since been faced and it is still unsolved. It will be seen presently in Chadwick's writings that Rowan later changed his views, on realizing the divergent police needs of individual rural and urban areas, and that he advocated amalgamations of counties as units of police administration, on lines suggestive of those seen to be increasingly advisable at the present day.

The evidence appended to the Report of the Royal Commission provides a remarkable picture of social conditions in provincial England in the eighteen-thirties and of the sufferings endured by the working classes as the consequence of absence of police, apart from those caused by the selfish apathy of the wealthy and by economic distress. The fact that Chadwick's zeal as a reformer led him into the custom of issuing sensational reports on all aspects of the many social evils which he was combatting does not lessen in any way the value of the evidence by which the Police Report of 1839 was supported. It shows that administration of the new borough police forces was falling into the hands of licensees and brewers and local vice-providers, and that in other areas such police as existed were parish constables, privately paid deputy parish constables, parish night-watchmen, street watchmen paid by subscriptions, privately

paid watchmen, parish beadles, parish ward constables, and various officers appointed by local officials, all 'thwarting each other on all occasions to prove their independence'.

There were also the paid servants of what were called 'Prosecution Societies'.[1] There were over five hundred of these. Their members paid a subscription which entitled them, if robbed, to the services of employees who traced the thieves, threatened them with prosecution, and bargained with them for return of part of the stolen property as an alternative. In the eighteen-thirties almost all prosecutions had to be undertaken by aggrieved citizens, who had to pay all the costs of the case, including those incurred by parish constables if they were used, irrespective of the nature of the help they provided, which was seldom of any value. When a thief was caught his prosecution was a dangerous risk even for his wealthy victims. For the poor among them it was impossible. The custom of bargaining with thieves became widespread as a consequence, but it could be employed only by the wealthy. Thieves responded willingly, as by returning part of the proceeds of their activities they insured themselves against transportation, and could enjoy the remainder of their gains without fear of interference. That this system of dealing with criminals would be disorganized was one of the many arguments put forward in resistance to the establishment of county police. It had been used earlier by banks and business houses in London, which preferred the likelihood of partial restoration of money and goods lost by forgery or theft to the possibility of total loss if the case had to be handled by the New Police.

Large-scale robbery of goods on roads, along canals and on the new railways was so extensively organized that senders refused all responsibility for delivery, and owners had to make private arrangements for the protection of purchased goods in transit. The ease with which theft could be committed produced not only widespread gangs of thieves but also hordes of pilferers who roamed the countryside and robbed the cottages of farm servants and villagers while the occupiers were out at work. The Report reveals that the prevalence of footpads on the roads at night obliged farmers and others to return home

[1] One of these still exists at the present day in Leicestershire and has many members. Its sole activity is the organizing of an annual dinner.

from fairs and markets armed and in groups. Commercial travellers used large dogs and carried pistols. Extremely interesting is the revelation that riots accompanied by malicious breaking of machinery and wrecking of factories were very often inspired and financed by the business rivals of the factory-owners who were the victims. The tyranny and cruelty of employers and their victimization of workers who expressed grievances is shown to have been frequently the direct cause of vitriol-throwing and assaults and murders. The fact that in some boroughs and industrial areas all the magistrates were manufacturers or in other ways employers of labour is heavily emphasized and deplored. This seems to explain the proposal in the Report to put provincial trained police, both in counties and in boroughs, exclusively under county magistrates.

Revealing also is the detailed evidence in the Report regarding the prevalence of wrecking. All the inhabitants of the coastal districts are stated to be addicted to wreck-plundering, and to have no thought of saving life, or consciousness of guilt, in causing wrecks or murdering shipwrecked sailors. On occasions of shipwreck no constables of any kind other than those of some of the new borough police forces dared to show themselves, and when they did so they were obliged to carry arms to defend themselves against the local population. An instance is recorded of the cutting of the ropes of a life-saving apparatus by a mob of people after contact had been made with the sailors in a wrecked ship, who were all drowned in consequence.

The evidence attached to the Royal Commission's Report of 1839 all tends to illustrate and emphasize that in all ages absence of restraint by effective police lets loose in a community a proportionate flood of criminality, and that, in the present state of man's development, police of the kind we have succeeded in evolving in this country are a primary essential of moral welfare and progress. A moral basis for its police is as essential for the welfare and existence of a community as is a moral basis for its laws.

The members of the Royal Commission collected enough evidence to compile a full report under all four headings of the subject they were investigating. Part of the evidence is included in their first Report and much of the remainder is among the Chadwick Manuscripts.[1] It was contributed by hundreds

[1] University College Library, London.

of witnesses of all social classes, professions and callings, including landowners, magistrates, manufacturers, skilled and unskilled workers, and convicted criminals. Most of it is a revelation of social and industrial evils and sufferings caused by defective policing, but one witness, Alfred John List, provides interesting evidence of progress in at least one provincial area, as the result of the spread of Charles Rowan's ideas.

List joined the New Police in London as a Constable when they were established in 1829, for the unusual reason that he was interested in police reform and had studied criminal law. His father was a Hungarian who had successfully set up a sugar-refining business in London and married a Welsh woman who knew no English and never learned any. He is believed to have dropped the letter 'z' from his name, and to have been a relative of the famous Abbé. Alfred was the eldest child of the marriage. He was soon promoted from Constable to Sergeant, and in 1832, when he had been only three years in the Force and was thirty-four, he was an Inspector. In that year the eighth Marquis of Tweeddale, of whom, and of his family, Rowan was an intimate friend, asked him to select a London policeman to organize the police of Haddingtonshire. List was chosen and given the rank of Superintendent. He deserves special mention in these pages, not because his career was more exemplary and interesting than that of the hundreds of Rowan-trained pioneers who were sent to the provinces, but because more details have been recorded of his activities than of those of any of the others. Scotland Yard letter-books show that Rowan sent policemen from London to many counties in Scotland, from Caithness to Roxburghshire, and also to towns, including Glasgow and Dundee.

The date of List's appointment as Superintendent at Haddington is interesting because in 1832 there were no county police forces in England. In Scotland there were several, which had been in existence, possibly in crude form, since the years closely following the Jacobite Rebellion of 1715, when their formation was authorized for the purpose of meeting the menace and depredations of wandering and homeless 'broken men' of the Highland clans. The origin of county police in Haddingtonshire is uncertain, but the explanation of their existence in 1832, as

well as that of other county forces in Scotland, is probably as follows:

An Act of 1724 for the disarming of the highlands authorized freeholders of every shire, county or district in Scotland to assess the several shires and stewartries for raising a sufficient fund to defray the charges of apprehending, subsisting and prosecuting criminals—called 'rogue money'. After, collections and application was transferred from the freeholders to the Commissioners of Supply, and they were allowed to increase assessment 'for the maintenance of a constabulary or police force in the counties'.[1]

In Scotland Commissioners of Supply were the forerunners of modern county councils and were in existence from 1656 to 1889.

Alfred List's evidence was given at Edinburgh to Chadwick. Rowan does not appear to have been present on this occasion. Chadwick was at that time obsessed by a belief that crime and vagrancy were almost synonymous, and that all that was necessary to prevent crime, at least in rural areas, was to prevent vagrancy. Unfortunately, his ideas for preventing vagrancy were closely akin to repression with severity, but it was true to a large extent that crime and vagrancy in both rural and urban areas in England were tightly interwoven. He questioned List closely on this subject.

Q. Have you in the course of your experience as a Police Officer in Haddingtonshire had occasion to observe the effects which the absence of a properly administered provision for the relief of the poor, similar to that in England, has had on alms-giving and mendicity, and thence on crime?

A. Yes, I have. I consider if a poor-house were to be erected for a number of parishes, and each were to contribute instead of paying money to the poor, that would be an advantage—combined with a law to enable the Authorities to punish vagrants.

Q. Is there much fraud?

A. Yes, on the part of the applicants. We have no means of detecting it. I might state that I have had the management for the last three or four years of a fund of Lady Blantyre's. Lady Blantyre was annoyed by vagrants calling at her house. I proposed to her Ladyship that she should have some mendicity tickets printed. Her Ladyship placed a sum of money in my hands and she received, at first, thirty tickets. Of these, only two came to me, although her Ladyship had given the whole of them away.

[1] *Encyclopaedia of the Laws of Scotland*, vol. II, p. 836, Signet Library, Edinburgh.

Q. Those who came, what were they?

A. I investigated their cases, and they were deserving. I gave them sufficient to procure them a bed, some bread, and a trifle to carry them on the road. About a month ago I went through Haddington and relieved the poor by giving a quantity of oat-meal to families who were deserving.

Q. Do you believe that Scotland, considering the circumstances of the country, is much infested with vagrants?

A. Yes, I do. I consider it very much infested.

So far, List's answers had tended to support Chadwick's theory. Some that followed were less helpful to him.

Q. Are habits of depredation attached to habits of vagrancy? Do they bring up a loose population? Have you found that in dealing with juvenile depredations?

A. No. There have not been many apprehended that we have known as vagrants.

Q. Do you think that begging is idle and fraudulent as it is in England?

A. There may be some, but not to a great extent.

Q. You think if a good workhouse system were generally applied there would be no danger of able-bodied pauperism?

A. I think not. Most paupers are strangers going from one county to another.

At this point List was moved to make some comments on the habits of the vagrants of Aberdeen, who, unlike all others in Scotland, were sometimes found with thirty to forty pounds in their possession, the proceeds of the sale to shopkeepers of meal and other foodstuffs collected on begging tours in the countryside. Alfred List had this information from his brother George,[1] a policeman in Musselburgh who appears to have been lent temporarily to the police in Aberdeen. There is no definite record of George having come originally from the Metropolitan Police.

Q. Are travellers on the roads as much liable to robbery in Scotland as they are in England, if they have any money about them?

A. Highway robbery of late years has very seldom occurred.

Q. Have you known instances where, in consequence of disease, a family has been reduced to a state of destitution?

A. No, nothing of that kind.

Claims that the people of Scotland were enjoying a higher state of civilization than those of England must be tempered by recognition of the fact that the Industrial Revolution was only beginning its progress north. It should be remembered also

[1] Later Chief Constable of East Lothian.

that in Scotland in the eighteen-thirties delinquents were treated with a remarkable blend of almost tyrannical severity and leniency which had a marked effect in preventing crime, and especially in preventing its repetition by individual offenders. List liked the Scottish system, and it was natural for him to do so after his experiences as a prosecuting policeman in London. He described it at length in replies to Chadwick's questions. On hearing of a crime the police in Scotland investigated it and presented the facts to a public prosecutor, who if he was satisfied petitioned the Sheriff and obtained a warrant. The Sheriff then interrogated the prisoner in private, and he was thus obliged to state his defence, if he denied the charge, without hearing the evidence of witnesses against him. He was allowed to see no one while in custody, until he was committed for trial. This procedure had the effect of encouraging admissions of guilt, and a first sentence was usually one of extreme leniency. After hearing List's description of the system Chadwick asked:

Q. You are of course aware of what is the practice in England, or, at least, in the Metropolis in respect to the admission of Attorneys or Agents to the prisoner before trial?

A. Yes, I am, and I found the practice to be a very injurious one of allowing the thieves' Attorneys to attend and converse with the prisoners in the cells before examination.

Q. In what respect injurious to the interests of Justice?

A. In telling the prisoners what they should say when brought before the Magistrates; in getting witnesses out of the way; in persuading persons to decline to prosecute; in getting up witnesses to prove *alibis*, and false defences.

Q. In the less serious cases do the prisoners frequently admit the facts charged against them?

A. They do in the great majority of cases.

Q. In what proportion of cases do you conceive that the prisoners in England would, under a system of procedure similar to that in Scotland, at once admit the charge and submit to the sentence?

A. If there were a proper system of examination, and if the prisoners were not encouraged to make false defences or allowed to be schooled by the lawyers who have an interest in getting up cases, in nearly all juvenile cases, or all cases of first offences, the prisoners would, I conceive, at once admit the charges when true; presuming always that the ordinary cautions are observed against holding out to the prisoner any undue inducements to admit the truth of the charge.

Q. Since you have acted as a Superintendent of the police in Haddingtonshire, what number of cases of theft have been brought before the courts in the County?

A. The following is a summary of the whole of the cases which have occurred since the date of my appointment in the year 1832. Out of thirteen cases of house-breaking and theft, four were tried without jury; out of two hundred and eighteen cases of theft, one hundred and ninety-five were tried without jury; and in these cases, in which, in England, sentences of transportation or of long imprisonment would have been given, sentences of from seven days to sixty days were awarded in Scotland.

Q. Contrasting the more severe sentences and the lengthened procedure in England with the less severe sentences and summary procedure in Scotland, and observing the effect on the population within the County, which system do you find, according to the facts coming under your observation to be the more efficient for the prevention of crime?

A. According to my experience, the summary conviction in Scotland is the more efficient system, but we have another advantage under Scotch law. Former convictions are taken as part of the offence. On a third offence, the two preceding offences would be libelled and the prisoner would be libelled as a person 'by habit and repute a thief', and probably be sentenced to transportation. The certainty that the slight punishment in the first instance will be followed by one much more severe afterwards, makes the first, slight punishment operate with very good effect.

Q. What has been the effect of this system when enforced by the agency of a Police in Haddingtonshire? Have you any means of knowing?

A. When I came into the district, I obtained a return of persons known as thieves. There were fifty-two of them, of whom nine have since been transported; twenty-three have left the County; and the rest still remain. Several of these now work as honest men, and are believed to be reformed. Nine are still under the surveillance of the police. They have been previously convicted and cautioned that, if they are again caught they will probably be transported.

It is regrettable that no lengthy account of experiences similar to that of List has been recorded by any of Rowan's pioneers in the boroughs and counties of England. Conceptions of the justice deserved by accused persons have changed in the course of a century and a quarter. In the same period the value of theories of prevention has been proved, and these have evolved into practices which are employed frequently as routine, and in forgetfulness of the theories which gave birth to them. Alfred List was unquestionably a humane and kindly man. One of his Order Books, dating from 1843 to 1864, is a prized possession of the Lothians and Peebles Constabulary. He was promoted, as Superintendent, from Haddingtonshire to the County of Midlothian in 1846, and became Chief Constable of Midlothian when that rank was created in 1857. All List's orders and pronouncements follow very closely those of the *General In-*

structions of Scotland Yard of 1829 and 1836. Rowan's lasting influence on him is shown in an order he issued in 1845:

County Police Office, Edinburgh.

The Superintendent has received a Report from a district officer against an Innkeeper for contravening her certificate.

It appears that, on Sunday past, the district Constable, Andrews, accompanied by Milne in plain clothes, inspected the public houses, and on finding the door of one open at Sunnyside, Milne went in and bought a gill of whisky, which was supplied, and then Andrews walked in and charged the Landlady with committing an offence, and reported accordingly.

Upon this occasion it is quite evident that the Innkeeper was entrapped by the policeman. The Superintendent therefore feels it his imperative duty to visit the offence with punishment, and has fined each Constable 2/-.

These men as well as the whole of the establishment are particularly directed to page 18 of the General Book of Instructions in which they will find the following words, 'The first duty of a Constable is to prevent the Commission of Crime, and his next is to apprehend persons who have committed crime.'

The Superintendent can scarcely find words strong enough to express his detestation at such a low, mean, and contemptible trick to inveigle a person to commit an offence, and hopes it will never again be resorted to.

Alfred John List,
Superintendent.

List died in Edinburgh in March 1882 at the age of eighty-four. A long obituary notice in *The Scotsman* summarizes his career and reveals the deep respect and admiration with which he was regarded in the Scottish capital. Some years earlier the County authorities voted him the sum of £2000 and gave him a public dinner, at which the Chairman said of him that 'in every duty which he had been called upon to perform, he had done it with kindness and firmness'. Since Charles Rowan first emphasized the value of a combination of these two attributes, this eulogy has been applicable to the careers of many thousands of policemen.

Publication of the Report of the Royal Commission in 1839 roused, surprisingly, an almost nation-wide wave of anger, and of criticism of its proposals. The whole battery of argument which had been used in the early eighteen-thirties against the establishment of police in London was again brought into action in Parliament and in the Press. This was peculiarly unreasonable, in view of the approval which the London police had by this time secured for themselves, and no one seems to have noticed that most of the arguments used against the plan for rural

police would have been equally applicable to demands for decentralization, or even disbandment, of police in London, for which no one other than criminals and Radical extremists had the slightest desire.

In 1839 the Chartist movement was causing fear throughout the country and immense trouble to Whig Ministers. These were suffering for many reasons a period of extreme weakness which had led to the collapse of their Government, followed by a quick and uneasy return to power. Melbourne and his Ministers had been obliged to resume power, with dependence on Peel for majorities in Parliament. Resistance to the Royal Commission's proposal for a measure of central control of provincial police had the curious effect of uniting in resistance the landed gentry; most manufacturers and other employers of labour, especially those who were magistrates; most municipal and other local authority representatives and ratepayers in the provinces; all Chartists and Trade Unionists and their sympathizers, including the bulk of the working classes; and most Radicals, with the noticeable exception of Francis Place.

Provincial magistrates and employers objected to provincial police being in any way subject to a measure of central control which would lessen their own. Chartists, and the working classes generally, saw in central control the thin end of a wedge prepared for the destruction of their plans for achieving political liberty by union and co-operation. Rowan and Chadwick were influenced solely by the crying need for effective policing everywhere. Their proposal was merely a consolidation of the system whereby, with Russell's approval, policemen from London were being sent to all parts of the provinces to help with local police organization, to keep order at elections, and to control riots and disturbances without the use of troops. The fact that trained policemen were necessary for these purposes was unquestionable.[1] Every penny of their costs was paid by

[1] A single known exception to the long series of successes achieved by London police sent to the provinces in the eighteen-thirties has been recorded inaccurately by a number of social historians. At Birmingham on 4th July 1839 a party of between forty and fifty London policemen immediately on arrival was ordered by local magistrates to clear the Bull Ring of a crowd of two thousand Chartists, who had assembled there with riotous intent, against magisterial decrees. The police were unarmed, except for batons, and were strictly subject to magistrates' orders. A battle between the crowd and the hopelessly outnumbered police lasted for three-quarters of an hour and ended with the police having to be rescued by

local authorities, and it was on these grounds that Rowan and Chadwick made the new and interesting proposal in their Report that one-fourth of the costs of provincial police should be paid from the Consolidated Fund. Rowan and Chadwick recognized also the unquestionable fact, clearly proved by the mass of evidence attached to their Report, that entirely local control of police in small areas was no longer a possibility in the changed circumstances of industrial and economic upheaval which were accompanying the progress of scientific and mechanical invention and the development of transport. There was no demand for central control of police in the Report. What was visualized was the extension to the provinces of the police system which had been tried out and proved successful in London, and it is noticeable that the efficiency of the London police was not claimed to be in any way due to the central control there, under which they were administered. What was rightly seen to be required for the provinces was a practical and sensible *blend* of local and central control, at a time when no experience was available for help in planning it.

From beginning to end the composition of the proposals in the Report is obviously the product of Rowan's experience and of the influence of his ideas on policemanship. Chadwick's influence is also clearly visible in the Report, and he seems to have drafted it. It is regrettable that his biographer,[1] forgetting his own warning that every element in each of Chadwick's plans was borrowed, attributes to him the entire planning and authorship of the work of the Royal Commission and its Report, and accepts his ludicrous claim to have been in 1829 the inventor of the idea of preventive police. How far Professor Finer has allowed his view of police history to be distorted is seen by his description of the rural police proposed in the Report as 'a completely centralized and para-military body of trained policemen', in spite of the fact that Proposal No. 1 clearly provides for their being 'trained, appointed and organized on the principles of management recognized by the Legislature in the appointment of the Metropolitan Police Force', whose members were neither armed nor even para-military in their methods, their behaviour,

cavalry. The blame for this affair lies wholly with the magistrates and not with the police. The Inspector who was given the order and obliged to obey it deserves sympathy.

[1] Finer, *Sir Edwin Chadwick*, p. 164 *et seq.*

and the exercise of their extremely unmilitary principles in the pursuit of police objectives.

The Whig Ministers could not ignore the urgent need to provide some kind of effective police in the counties. In face of the storm of criticism which the Report of the Royal Commission aroused, and conscious of their parliamentary weakness, they evaded their responsibilities and introduced the Rural Police Bill of 1839, which became known as the Permissive Act. It left the borough corporations in undisturbed control of their police forces, and permitted magistrates in Quarter Sessions, in any county where a majority of them desired to have a police force, to select and appoint a Chief Constable who would create one; but the entire cost had to be borne by the county. In numbers, the forces were not allowed to consist of more than one policeman for each thousand inhabitants. The Home Secretary was empowered to make some rules for the forces with regard to discipline and pay, and his approval of appointments of Chief Constables was required. These provisions reveal the first dawning in the minds of Whig Ministers of the need for some supervision of local control by central authority, but the degree stipulated in 1839 was too slight to be effective. In the small number of counties in which advantage was taken of the Permissive Act, magistrates found no difficulty in appointing as Chief Constable anyone who they thought would suit them. This had very strange consequences in the nature and variety of the county police forces which were thereafter brought into being, and generally increased instead of solving the problem of provincial policing.

CHAPTER XIII

SUCCESS OF THE POLICE IN LONDON

THE years 1837 to 1840 represent the most active and successful period of Rowan's police career. During this time he had the satisfaction of seeing the Metropolitan Police Force which he had planned, organized and trained become firmly and finally established, and approved and appreciated by the public, as the result of the ideals and principles of behaviour in contact with the public which he had defined and inculcated as the true basis of effective policemanship. He had the satisfaction also of seeing the adoption of his principles spreading to all parts of Britain and the Colonies, to many of which policeman of various ranks were sent from Scotland Yard.[1]

It was during this period also that the first signs appeared of the power which public approval of the police gave Rowan and Mayne in their relationship with the Home Office, and in resisting the frustrations to which they were consistently subjected from that quarter. These increased in measure proportionate to the growing success of the police. Russell wholeheartedly encouraged the sending of policemen of all ranks to help with the organization of police in the provinces and abroad. He thoroughly approved also of sending parties of London police on request, for the purpose of securing the orderly conduct of elections elsewhere than in London. Provincial authorities had come to appreciate the peace which the presence of police ensured at elections of all kinds. London police were also in

[1] Details of Metropolitan Police organization, uniforms, methods and principles, together with copies of the *Instructions* and Orders, were sent on request, accompanied frequently by personnel, to Canada, Australia, the Cape of Good Hope, Jamaica, Ceylon and most of the lesser Colonies. London-model forces were established in Bombay, Lucknow, Madras and elsewhere in India in 1853, and throughout the whole country in 1861. Eventually the success of Rowan's methods was checked in the lesser Colonies, and to some extent in the larger units, by tendencies, prompted by local conditions, to blend Irish Constabulary organization with that of London. The error of this procedure is becoming increasingly acknowledged at the present day.

demand at race meetings to prevent riots and disorders, and on all occasions of crowd-assembly in the provinces at which the presence of troops had been customary. Russell's appreciation of the fact that the presence of London police made the use of dragoons and infantry unnecessary is understandable, but quite incomprehensible is his deafness to the Commissioners' urgent complaints of the strain which provincial demands were inflicting on their organization. He remained impervious to their demands for increasing manpower strength, for sympathetic understanding and consideration of their difficulties, and for a number of reforms whose urgency was clearly indicated by daily experience in the streets.

The fact that the Home Office persisted in making almost all communications between officials and the Commissioners verbal ones tends often to handicap the study of police history, but there were occasions on which, apparently in despair, the Commissioners summarized their outstanding grievances in formal letters, some of which have fortunately survived. One of these has the added value of having written on it the comments of the various Home Office officials who read it, and their remarks are both revealing and amusing. Its subject is the advantages and disadvantages of sending police to the provinces, but in order to understand it, and also the ink and pencil comments on it, it is necessary to set it against the background of two letters from the records at Scotland Yard and to remember the long series of verbal exchanges between the Commissioners and the Home Office on the subject of provincial demands.

The Commissioners were as willing as Russell was to send police to the provinces, and their compliance with requests from local authorities was cordially expressed in correspondence. A sudden change of tone appears on 6th August 1837, when Mayne sent the magistrates of Devizes a flat refusal to supply men to help with an election there and vaguely indicated that the Home Office staff was responsible for the decision. In a letter of 24th November in reply to another request Rowan is more explicit: 'We shall as in other cases do all in our power to assist, but the real trouble is that I fear, without some further arrangements at the Home Office to meet the numerous instances in which we are now called upon, we shall be obliged, with a view to the efficiency of our own service, to decline.'

These and other refusals seem to indicate that the Commissioners felt themselves strong enough to refuse requests, so long as the Home Secretary declined to grant their demands for increased strength and to listen to their other grievances. Mayne's long letter to the Home Office followed a year later, on 14th November 1838. It was addressed to the Under-Secretary, Fox Maule.[1] Read by itself it would seem to be innocuous. It specifies no demands, but includes figures of the numbers of police sent to the provinces to date, and mildly indicates some manpower difficulties. It ends with the following sentence: 'The Commissioners in concluding beg to say that for carrying on the various branches of police duty to which they have referred, and applying the services of the Police Force so much beyond what was originally contemplated, new arrangements of considerable detail, and causing a great addition to the business of this office have become necessary.'

That the Home Office staff did not regard this letter as harmless is clear from the comments written by them which it carries. It is possible that the Commissioners were not surprised when they immediately received an order to withdraw it, although the reason for this order, given in the comments, is unlikely to have been divulged to them. The comments are as follows:

The Commissioners
Enclosing lists of men detailed from the Force to various parts of the kingdom for permanent and temporary police duties. They state that this practice has been detrimental to the Force, and that new arrangements of considerable detail have become necessary. They therefore feel it their duty to bring the subject distinctly under Lord John Russell's consideration.

Mem. By Mr Maule's desire I returned this letter to the Commissioners of Police telling them at the same time that Lord John Russell will keep the returns they enclosed—but wishes the letter to be withdrawn as a Public Letter.

Private. This is a return you will like to see, and the Inspectors [*sic*] have sent a letter with it, which I did not expect. They will contrive to have it moved for in the House of Commons, and I do not think it would tend to the good of the Police Service to give it, and therefore I might make them simply transmit the return and withdraw the letter, which is after all a volunteer.

[1] Under-Secretary of State in Melbourne's Ministry, 1835–41; afterwards Baron Panmure and 11th Earl of Dalhousie (1860).

J.R. They had better withdraw it. It must otherwise be reported, which is very easy.

The ultimate effect of Mayne's letter was certainly the easing of the Commissioners' difficulties and the bettering of their relations with the Home Office. There is no evidence that they ever used their mysterious newly acquired power of having anything 'moved for in the House of Commons'. It may have been the fact that they were now able to do so that caused Russell to relent. He had already shown signs in 1838 of being willing to do this, by allowing them to increase police strength by a hundred men, and allowing them at last to have uniforms as Commissioners of Police. They ceased, suddenly, their refusals to send police to the provinces. In 1839 most of their grievances were finally removed by the Metropolitan Police Act.

This Act extended the Metropolitan Police District to what are now, approximately, its present boundaries, and allowed more than a proportionate increase in strength. The Bow Street Runners were abolished, and also the paid constables of the stipendiary magistrates' courts. The present-day smooth functioning of the judicial and executive branches of the Law was inaugurated by placing the police work of all these courts, including that of Bow Street, entirely in the hands of the Metropolitan Police, and the Thames Police were absorbed by them. A number of legal anomalies of various kinds which had been exasperating the police were adjusted or abolished, and the police powers with regard to assault cases, disorderly houses, cruel sports, and supervision of licensed premises and nuisances were strengthened and improved by being more clearly defined.

The Act made provision also for a much needed Superannuation Fund, which was promptly inaugurated. Subscriptions were fixed at rates ranging from 9/5 monthly for Superintendents to 5d. weekly for Sergeants and Constables. The Commissioners sought to get more generous provision sanctioned for policemen of less than fifteen years' service who were discharged on account of illness or injuries received on service but were ineligible for pensions, but the Home Office ruled that such provision must be limited to the amount of one month's pay for each year of service. A year later a Tory Home Secretary, James Graham, issued an order that all gratuities for illness or injury had to be provided out of the Superannuation Fund. This

decision helped largely to make it unworkable and it was wound up. The police had to wait many years for a satisfactory pension scheme, which was at last inaugurated in 1890.

The People's Charter was published on 8th May 1838, as the result of long and patient efforts by a number of Moderate Radical leaders, including William Lovett and Thomas Attwood. Its reasonable and intelligent demands for universal suffrage, voting by ballot, payment of Members of Parliament, annual Parliaments, equal electoral districts and abolition of the property qualification which was required for membership of Parliament appealed to the working classes and roused their enthusiastic support. Huge mass meetings were held in industrial areas throughout the country. These were at first conducted peaceably and without disorder, and were addressed with strict moderation by the speakers who took part in them. The dreary fate of most moderate and sincere reform movements inevitably followed. Within six months the Chartist movement was seen to be wholly in the hands of fanatical revolutionary extremists, who were urging audiences to seek fulfilment of the demands of the Charter by arming themselves and shedding blood. All hope of the success of the movement was soon destroyed and the name Chartism became synonymous with fear, even in the minds of many people of all classes who had at first hailed the People's Charter with enthusiasm. The Whig Government found the pre-arranged presence of troops necessary for Chartist meetings, and were obliged by the language used at them to refuse even to consider Chartist demands in consequence of the manner in which they were being made.

During 1839, before the complete capture of the Chartist movement by extremist leaders, the police in London caused trouble for themselves by refusing to interfere with Chartist meetings. On one occasion the Churchwardens and Overseers of Clerkenwell and a number of other inhabitants presented a petition to the Home Office complaining that, in refusing to disperse meetings of some thousands of Chartists on Clerkenwell Green, the police were guilty of neglect of duty. Russell demanded an explanation and the Superintendent concerned, with the full approval and support of Rowan and Mayne, replied

truthfully that the meetings were harmless, and that he saw no reason to interfere with them. By January 1840 the meetings had assumed a different aspect. Londoners lived for some time in fear of a Chartist rising and there is clear proof that one was planned to take place between the 14th and 16th of January 1840, under cover of darkness ensured by the preliminary cutting off of the gas supplies. There is proof also that the London rising was organized as a signal for similar co-ordinated risings throughout the country.

Neither these nor the London rising matured. A secret meeting of eight hundred London Chartists was held under the auspices of the extremist leaders at the Trades Hall, Bethnal Green, on the night of 14th January. A hundred policemen quietly surrounded the building and two hundred and fifty more waited in reserve nearby. The police entered the hall unexpectedly and arrested a hundred and fifty members of the audience who were found to be carrying arms. This sudden action staggered the Chartist leaders and ended all possibility of organized Chartist risings occurring anywhere. The simple explanation is that one of them, Joseph Golding, had approached Home Office officials with an offer to disclose the Chartist plans. He was sent to Rowan and Mayne, who refused to have any dealings with him but put him in touch with a Superintendent and with a solicitor whom they employed occasionally. The subsequent police action was the result of Golding's disclosures. Complete ignorance among Chartist leaders of what had happened, and consequent fear and suspicion of one another, effectively ended the menace of revolutionary Chartism in 1840.

Nearly a decade passed before Chartism again became formidable in London but there were spasmodic, attempted risings in the provinces in the early eighteen-forties, occasioned largely by local economic distress. Letters written by Mayne in 1843 to General Browne, the Lord-Lieutenant of Radnorshire,[1] throw passing light on the long story of the endless confusion of central and local control of police. In that year an Inspector and sixteen men from Scotland Yard were sent to South Wales to help to control disturbances. One of the counties there, which appears to have been Radnorshire, had a police force created under the Permissive Act and controlled by a Superin-

[1] National Library of Scotland, Manuscripts, 2843.

tendent who assumed that the London police had to obey his orders. These clashed with orders from magistrates which the Scotland Yard Inspector pleaded he was bound to obey. The question had to be referred to London, and the answer was that London police were under the joint authority of Scotland Yard and local magistrates exclusively.

This chapter will end with some consideration of a baffling problem of the history of police and of the Preventive Principle, for which it is difficult to find a clear solution. In 1842 two Inspectors and six Sergeants of the Metropolitan Police were selected for the purpose of giving full-time and exclusive service to the detection of crime. They were the founders of the Criminal Investigation Department. As policemen in plain clothes had been customarily used to trap pickpockets in crowds and to attend, on direct orders from Melbourne, various political meetings, the expansion of this form of duty to full-time service seems at first sight a natural outcome of police experience. Police records at Scotland Yard of later date than 1840 are extremely scanty, and the only mention of the formation of the detective force is contained in a letter written by Mayne to an official at the Home Office in 1842, when Sir James Graham was Home Secretary:

23rd Aug. 1842.

With reference to the authority given to the Commissioners of Police of the Metropolis by the last paragraph of Mr Phillipp's letter of the 20th June last, to appoint two Inspectors at £200 per annum each, and six Sergeants at £73 per annum each, to the Metropolitan Police Force, to be employed in the detection of criminals, the Commissioners now beg to forward the names of the two Inspectors they propose to be appointed as the Inspectors of the Detective Police, and the names of the six Sergeants whom they have selected and recommend for the same service. (Names follow.)

R. Mayne.

It is surprising to find Chadwick writing, at a later date, of this development[1]:

The method of detectives implies communication with thieves and recognition and consorting with them, which is highly objectionable; it implies a tacit recognition of the action of many for the capture of one when he is wanted on a particular charge.

I know from Sir C. Rowan and Mr Richard Mayne that they disliked

[1] *The Health of Nations*, by Sir Benjamin Ward Richardson, vol. II, p. 394.

detection on principle, and only yielded to its adoption on what they deemed superior authority.

Chadwick is never reliable in pronouncements on the subject of police for which there is no supporting authority. His remarks on this occasion reveal some welcome improvement in his understanding of the preventive principle. It is very difficult to imagine anyone forcing Rowan and Mayne to yield, against their judgment and principles, in a matter of this kind, and if they did yield, it could have been only to dictates from the Home Office, backed possibly by the Cabinet. On the other hand, the fact that Rowan and Mayne strongly disliked detection in comparison with prevention is clearly seen in the wording of earlier police documents, and they had very good reason for their views.

In his plan for police which is detailed in the *Handbook of General Instructions* Rowan emphasizes, exclusively, the value of *prevention*. He makes no mention of detection, except in disparaging it by comparison. Of *prevention* he writes: 'To this great end every effort of the Police is to be directed. The security of person and property, the preservation of the public tranquility and all the other objects of a Police Establishment will thus be better effected than by the *detection and punishment* of the offender after he has succeeded in committing the crime. . . .'

Mayne writes in the second, or legal, section of the *Instructions*: 'The first duty of a Constable is always to *prevent* the commission of a crime.'

Both writers were in the habit of underlining the words 'prevention' and 'prevent'. In various early handbooks of police duty compiled for provincial forces and issued to them *prevention* is usually emphasized as the basic principle of police duty.

It is interesting to turn now to later definitions of police principles, and to notice what has become of the originals at the hands of Home Office officials. The phrase, 'the prevention of crime', becomes 'the prevention and detection of crime', in which principle is confused with function, but this is only the beginning of the havoc that has been made not only of police principles but also of the basic facts of police history. On the occasion of the centenary of the Metropolitan Police in 1929 a brochure was issued to the public. Under the heading '1829-

1929' came the following pronouncement: 'The primary object of an efficient Police is the prevention of crime: the next that of detection and punishment of offenders if crime is committed.' To this, and not to his original words, Rowan's supporting paragraph is appended, verbatim: 'To these ends all the efforts of the Police must be directed, etc.' Then comes the following mendacious statement: 'These were the first sentences in the instructions issued to the Police in 1829, and they have ever since formed the Preface to the General Orders of the Metropolitan Police as the best expression of the general principles on which the new police system was founded and has since been carried on.'

The opening lines referred to were certainly not 'the first sentences in the instructions issued to the police in 1829'. They have not 'ever since formed the Preface to the General Orders of the Metropolitan Police'. The new wording was insinuated into them, guilefully, at later dates. It is by no means 'the best expression of the general principles on which the new police system was founded'. The opening lines of the statement in the brochure are not an expression of police principles in Britain; they are a travesty of them. Pronouncements such as these are a betrayal, not only of the principles and lifework of the men who conceived and founded our police, but of the hundreds of others of all ranks who, by their early care of Rowan's principles in the provinces, laid foundations which in the hands of their successors are still basically impervious to the assaults of official ignorance.

Prevention in the sense in which it is used in connection with police is essentially a principle, as it was to Sir John Moore, although its practice on certain occasions may become functional. In the eighteenth century it was called a science. Patrick Colquhoun wrote of 'the new science of preventive police, now in its infancy, and only beginning to be understood'. Except by serving policemen who have experience of its practice and effects as a principle, it is still far from being understood, and its meaning appears to be unrealized by Government officials who are responsible for the welfare of police administration. Detection is a function of police, and a necessary one, but, together with all other police functions for the control of crime and disorder, it must be constantly co-ordinated in service to the

principle of prevention, and in no circumstances be allowed, as a function, to supersede it.

If the difference between police principles and police functions is clearly understood by police authorities and by the public, much confusion will be avoided. Grave misgivings are at present expressed by thoughtful policemen of all ranks who see, as Chadwick did a century ago, the danger of the increasing supersession of principles by functions, of prevention by detection, in the planning of daily duties. This is one of the many evils of the manpower shortage in the police, which will be discussed in a later chapter. When there are not enough police to prevent crime and disorder effectively, it follows inevitably that the existing numbers will tend to become employed exclusively in detection.

CHAPTER XIV

CHARLES ROWAN AND HIS FRIENDS

THE bulk of the records of Charles Rowan's official career are in the original copy-letter books of the years 1829 to 1840 at Scotland Yard, and in a mass of Home Office manuscripts of the same period in the Public Record Office, numbers H.O. 58-61, and 65. Surviving manuscripts which reveal intimate aspects of his attractive personality and his private life are few in number. Most of them date from the early eighteen-forties to 1852, the year of his death.

The failure of Rowan's work with Chadwick on the Royal Commission of 1836-39 and the emphatic rejection of their plan for partly-centralized police administration were promptly followed by the absorption of Chadwick's immense and frequently misguided energies in facing serious troubles in the provinces, which were the consequence of the activities of the Poor Law Commission, and by his being given, in addition to his other manifold duties, instructions to enquire into various problems and scandals connected with town sanitation and disposal of the dead. Rowan was for some time fully engaged in organizing the details of the wide expansion of the Metropolitan Police area which had been provided by the Act of 1839. In a letter of 11th October 1850, to an unknown correspondent, which is an attempt to explain his apparent lack of further interest in police affairs Chadwick wrote: 'Mr [*sic*] Charles Rowan was disgusted with our treatment; for we were unpaid and I had furious abuse.' From all that is known of Rowan it is difficult to imagine him expressing himself in language which could be summarized as disgust. Much more typical of him and of his whimsical humour was the view of the failure of the Royal Commission which he is recorded as having expressed to Russell[1]: 'It is impossible to maintain gravity on the subject. What a pity it is that all men

[1] Finer, *Sir Edwin Chadwick*, p. 171.

who are not rogues are fools. Present company excepted.'

Among living members of the Rowan family few other than verbal records of Charles and his younger brother, Field-Marshal Sir William Rowan, have survived. All of them reveal both men as being excessively modest, kindly, sympathetic and sincerely religious, consistently thoughtful of others, and strongly impregnated with high ideals of duty and a keen sense of humour. Written records of Charles fully confirm his possession of all these qualities. Of Sir William Rowan, who died in 1879, there seem to be even fewer records than there are of his brother Charles. Through the great-nephews and great-nieces of a younger generation, a tradition has survived that Sir William in his old age was in the habit of entertaining them with exciting stories of the early days of his soldiering, and that they learned by experience that questions regarding his personal share in events were liable to cause the flow of reminiscences to end abruptly with the comment: 'That would be talking about myself. That's boasting. You should never talk about yourself.' Although there is no exact record of Charles having ever expressed these sentiments, it seems certain that he shared them. His basic attributes were, unquestionably, his particularly successful blending of dignity with deference and modesty; unruffled selflessness in public service; unselfishness and kindness in private friendships; and consummate and consistently exercised tact.

The fact that Charles Rowan was almost alone among the colleagues and collaborators of Chadwick who never quarrelled with him is revealing, and it is clear that this smooth relationship was not achieved by submission on the part of Rowan to Chadwick's aggressiveness and his tendency to be rudely intolerant of all ideas and points of view which did not closely approximate to his own. Rowan was unmoved by young Chadwick's criticisms of the organization of the Metropolitan Police, and particularly of the beat system, which was Rowan's invention. Both he and Mayne frequently addressed strong complaints to Chadwick regarding the failure of the Poor Law Commission to mitigate the inhumanity of Workhouse-masters and 'Directors of the Poor' in their attitude to people whom the police found destitute, and often dying, in the London streets. Press reports reveal that the sole means of relieving these un-

fortunates was often the raising of subscriptions among the colleagues of the policeman who found them. In a letter of 7th September 1837, signed by Mayne, Chadwick is informed:

> The Commissioners of Police enclose for the information of the Poor Law Commissioners returns from the Divisions of the Metropolitan Police shewing, for the last three months, the numbers of persons found by the police in a state of destitution.
>
> From these returns it appears that difficulties still occur in obtaining that immediate relief which the extreme urgency of some of the cases demand, and all plea for any relief is resisted in others, on the ground that the party should seek for it elsewhere, perhaps in a distant parish. . . . The Commissioners beg leave to call the attention of the Poor Law Commissioners to the points to which they have alluded, and they will be glad to receive such suggestions arising out of the present mode of administering the law as may enable the police to act more effectually in cases of destitute persons of whom they are obliged to take cognizance.

This mildly worded letter seems to have had no effective result. Three months later Rowan forcefully expressed his views on the behaviour of the Poor Law officials and the callousness and injustice of their response to human suffering. The Directors of the Poor of the Parish of St. Pancras had dared to complain of 'the conduct of the police in having taken the late Katherine Kerrick, in a state of destitution to the Workhouse of the Parish of St. Pancras without the smallest justification'. Rowan replied on 12th December 1837: 'If trouble or expense has been caused to the Parish of St. Pancras by this proceeding, which in a strictly legal sense it should not have been called upon to incur, the Commissioners regret it, but they cannot perceive that the Police Officers had any alternative save that of leaving a human being to perish in the streets.' It appears that the Poor Law Commissioners had given orders for all people who were clearly destitute and suffering to be given immediately relief and shelter before enquiry, but Chadwick, the Secretary to the Poor Law Commission, was either unable or unwilling to secure the enforcement of this ruling.

On 26th December Rowan wrote a very long letter to the Clerk of the Board of Guardians of Greenwich which is the only surviving item of earlier correspondence with them. It was unusual for Rowan to indulge in irony:

> The Commissioners of Police have to express their regret that the Relieving Officer should have been put to inconvenience by being called

up in the middle of the night to investigate claims for relief, after the performance of the duties of the day, which are no doubt heavy and harassing.

Rowan then quotes at length the rulings of the Poor Law Commissioners on the subject, and their express order that, 'the relief of actual destitution in cases of emergency should always precede the investigation of any question as to its cause, or as to the liability of any other parties than the Parish to contribute to it'. The letter continues:

> The Commissioners of Police venture to submit to the Guardians whether it is necessary that such a duty should be cast even on the Master of the Workhouse. . . . In some cases the sufferers are found in a state in which they can give no account of themselves; in others, persons would perish before the claim for relief could be substantiated, and one intention of the provision—that the unfortunate should not die in the streets—would be defeated. The Poor Law Commissioners lay great emphasis on relief being given at once in all such cases where the need of relief is evident. . . . Destitution, not merit, is the exclusive ground for relief; individuals of the worst character who are destitute must not be refused relief and left to die on account of demerit.

Rowan's letter ends with proof, from an average of destitute persons taken to Greenwich Workhouse by the police over a specified period, that the annual cost of relieving such at 2/- per head would amount to only £3 . 12 . 0. It is significant that the Police Commissioners felt obliged to wage by themselves this battle with Guardians, relief officers and workhouse-masters, and that Chadwick could not be relied upon to help by exercising his authority and insisting on the rules of the Poor Law Commission being observed. It is not clear whether Chadwick was sincere or not in his efforts to end these scandals of destitution, or whether he was merely handicapped by the lethargy of the Poor Law Commissioners, with whom, as their Secretary, he was constantly at loggerheads. During the winter of 1837-38 the Police Commissioners passed to Chadwick a series of reports from Superintendents of relief being refused to destitute persons taken to workhouses by the police.

Some echoes of Radical and Chartist propaganda in connection with the Cold Bath Fields riot of 1832 and later events survive in the work of certain modern historians who have assumed that Charles Rowan must have been a military martinet, a tool of Wellington and a stiff-necked Tory. Even the absurd

statement that the unarmed police under Rowan's command at Cold Bath Fields 'fired on an innocent, hungry, and constitutionally-assembled crowd' can be made today and apparently believed. The fact that during his lifetime the Press was surprisingly free of personal attacks on him and of personal criticism of his actions or behaviour may have been due to his having been almost unknown to the public as an individual, partly because he was never seen in the streets in uniform, and partly on account of the comparative anonymity in which he and Mayne functioned as 'the Commissioners'.

In none of the surviving records of Charles Rowan is there the slightest evidence that he was a Tory, or that he held party political views of any kind, and there is much evidence which tends to prove that he had none. He was simply, and perfectly, a policeman, and in his person he created the lasting ideal of what a perfect policeman ought to be. In his control and training of his men his official correspondence reveals him as having been always strictly governed by a high sense of what was demanded of him by his religion, which underlay his sense of duty, of justice, and of service to law and to the public. Unlike most of the evangelicals with whom he was associated, he seems to have rarely given public expression to his religious views. He was an active member of the congregation of St. Philip's Chapel, Regent Street, which was an evangelical off-shoot of St. James's Church, Piccadilly, and was under the ministry of the Reverend Edward Repton.[1]

Rowan was an ever-ready friend of all religious and charitable societies which appealed to him. The Scotland Yard letter-books carry many letters acknowledging the thanks of various societies for services from the police which are, unfortunately, mainly unspecified. One of his early actions in this connection was to instruct Superintendent Thomas of Covent Garden Division to make the religious gatherings at Exeter Hall his special care, and he did so to an extent which led to jokes in the Press and elsewhere about the active part played by the Metropolitan Police at religious meetings, and their function of

[1] Also a Canon of Westminster Abbey. St. Philip's congregation was one of many similar evangelical off-shoots from London churches which appeared at this period. Its members included Sir Robert and Lady Peel. I have been unable to find any records in spite of active help from ecclesiastical authorities. The chapel was pulled down in 1904. C.R.

handing round the collection plates. Rowan willingly allowed a religious society to give a bible to every policeman in London, and in at least one church seats were reserved at all services for policemen in the district who were off-duty. A letter to the Commissioners from Elizabeth Fry, asking if she might be allowed to come and see them on the subject of giving books to policemen, was given the reply that they would visit her in person if she would kindly state the date and hour when this would be convenient to her. Among all the innumerable copies at Scotland Yard of letters written in reply to applicants for interviews, ranging from bearers of the highest offices and titles to humble citizens, this is without exception the only one in which the Commissioners offer to wait in person on their correspondent. Mrs Fry declined to allow them to do this and insisted on calling on them at Scotland Yard.

That Rowan was very far from being hostile and unsympathetic towards the needs and sufferings of the lower ranks of society is evident from many details of his relationship with them. He was on friendly terms with most of the Moderate Radical leaders. His easy accessibility brought to him many reformers of various kinds who sought his advice. There were few projected reforms of any kind in London that were not in one way or another linked with police. Francis Place, at the time when he was most feared and hated by the reactionary upholders of privilege and of the maintenance of harsh authority, was so moved by the courtesy and friendliness of Rowan and Mayne that he decided to make pupils of them and educate them on lines of Radical and Utilitarian ideology by inducing them to read a number of books which he lent them. Rowan was constantly at pains to train the police to regard all political movements and all meetings, assemblies and other activities connected with them, from the sole standpoint of whether or not these involved any breach of law; to deal with this, if it were threatened, with the exclusive aim of preventing it; and, on occasions of its occurrence, to end it with no more than the absolute minimum of force that was necessary for the purpose. Exercise of the absolute minimum of force necessary for the achievement of a police objective is still a basic principle of the police today.

Between 1835 and 1840 the steady growth of public approval

of the police manifested itself in demands that they should undertake almost all the community services of local, and some of central, government. These included all fire-fighting, maintenance and control of sanitation, issue and control of licences of every kind, inspection and control of dilapidated buildings, relief of destitution, regulation and inspection of weights and measures, collection of taxes of every kind, removal of road obstacles, delivery of postal matter in outlying areas, clearing of mud from pavements, suppression of the making of slides by boys in winter, suppression of top-spinning and hoop-trundling in the streets by children, prohibition of the use of pavements by smokers, sandwich-board carriers, sweeps and bakers, and the ringing of bells by muffin-men. To all these demands and others, whether sensible or absurd, Rowan and Mayne replied, in the Press and direct to correspondents, that they could not undertake any duties of any kind that were not conferred on them by law. Their lone voices gradually led both the Press and the public to understand, at least to some extent, the powers and duties of a policeman in the community, and his exact place in the machinery of law, but it is a lesson which many people in present times, especially motorists, have yet to learn.

In contrast with the numerous records of Rowan's official activities, those of his private life and friendships are few in number, but they provide extremely interesting and revealing evidence of the attractiveness of his personality. Throughout his life this seems to have registered on the minds of his friends and acquaintances in the form of memories of kindnesses done by him, and of recollections of his unselfishness, good nature and good humour. In the letters, diaries and memoirs of his friends the views expressed are concerned almost exclusively with these aspects of him. His possession of sterner and more serious attributes appears to have been regarded by his friends as common knowledge, of which mention was superfluous.

On his appointment as Commissioner of Police in 1829 Rowan occupied bachelor quarters at Scotland Yard, which was then known as 4 Whitehall Place. A few years later he leased a house at No. 17 Bolton Street, Piccadilly, where he lived until the last year of his life. He remained unmarried. Salmon fishing and, to a lesser extent, shooting, were his chief interests on almost all occasions when relief from duty enabled him to

indulge in them. He was extremely popular among a wide circle of friends and acquaintances, most of whom were members of the gradually dwindling group of officers who in their younger days had served under Moore and Wellington. Among his most intimate friends of Army days were Sir George Napier, the 8th Marquis of Tweeddale, and the Earl of March, who became the 6th Duke of Richmond. Other younger friends, of later finding, were Richard Mayne and his wife, the 10th Earl of Dalhousie, who became Governor-General of India and received a marquisate, and, closest of all in later years, the Duke and Duchess of Roxburghe, in whose home, Floors Castle on the Tweed, which Rowan called 'my fishing headquarters', he was frequently resident in the eighteen-forties.

George Hay, 8th Marquis of Tweeddale, was born in 1787, joined the Army as an ensign in 1804, and was appointed to the staff of General Fox in Sicily in 1806, which seems to have been the date of the beginning of his friendship with Charles Rowan. Moore seems to have tried to get Robert Rowan's company in the 52nd for the young Lord Tweeddale, but his name is not mentioned in the records of this regiment. He was one of Wellington's aides-de-camp in the Peninsula, and later became his Quartermaster-General. He was severely wounded at Busaco and Vittoria. After recovery at home he was sent to America in command of a brigade and was slightly incapacitated for the remainder of his life by a wound in his foot. This weakness is believed to have been the cause of a fall, at his home, Yester, which resulted in his death, at the age of ninety.

Lord Tweeddale was a man of large build and strong physique, a famous swordsman, horseman and coachman, who claimed the record of having driven a mail-coach from London to Haddington without relief and without having once descended from his driving-seat. He was an extremely forceful, enterprising and far-seeing landlord whose experiments in draining and deep ploughing and in the use of machinery in agriculture provided many benefits for Lothian farmers. His wife was the third daughter of the 5th Duke of Manchester. She was a lady whose personality combined a number of strangely contrasting, but closely-woven attributes which in her handling of her children expressed themselves in the form of severity, sentimentality and intensely evangelical religion. There were fourteen

children. The two eldest girls were Lady Susan Hay, born in 1817, who married James Andrew Ramsay, the 10th Earl of Dalhousie, and accompanied him to India, and Lady Elizabeth Hay, born in 1820, who married the Marquis of Douro, Wellington's heir and successor. She had the reputation of being the most beautiful woman in Britain.

Of this interesting and fascinating family Charles Rowan was an intimate friend, and is recorded as having been Douro's unsuccessful rival in seeking Lady Elizabeth's hand. She is reported as having been given on the evening before her marriage a sound thrashing by her father. She is known to have been a difficult, inconsequent and very temperamental young lady. Her family had some reason to disapprove of her engagement to Lord Douro, and were relieved when she quarrelled with him and broke it off. Some time later he arrived unexpectedly at Yester and stayed to lunch. In the course of the afternoon Lady Elizabeth announced the ending of the quarrel and the renewal of her engagement.

The story that Rowan was a disappointed suitor has been handed down as a tradition in the Hay family. With no property, and no financial resources other than his police salary, and possibly some part of his Army pension, and with the difference of thirty-seven years between him and Lady Elizabeth, it seems unlikely that he could have ever posed seriously as a prospective bridegroom. He must have been fully aware, from his intimacy with the whole family, of her disturbing temperament and the dismay which it persistently occasioned. It may have been an attraction to him, but it is difficult to imagine him blinding himself to the possible consequences of such a union and allowing, even for a moment, his customary wise and solid reasoning to become atrophied by infatuation in any form. The marriage had no effect on his friendship with Douro. Dalhousie remarks in a letter written some months later: 'Rowan is at Achnacarry[1] with Lord Douro. I heard from him lately, and hope to see him at the castle when we return.' It is possible that the story of his disappointment may have originated in Hay family pleasantries at the time of the engagement. There is some curious matter for consideration in the following delightful and amusing letter penned by Lord Dalhousie to his

[1] Spean Bridge, Inverness-shire.

wife immediately after the marriage of Lady Elizabeth in London, which Lady Susan was unable to attend. The light which this letter throws on social history seems to justify its transcription in full:

London, April 19, 1839.

At last, my dearest Sue, I have got some of the rough old fashioned letter Paper that I like, altho' it is gilt edged it does not signify using it to you as no one will see it. I got some for a trial and feel some pleasure in being able to write without feeling my pen skating and sliding without guidance or control. And now for our public occasion.

The *Morning Post* will no doubt be sublime, but as I have not yet seen it, and as I daresay it will be copied into *The Times* you will see it all there; and my letter will come in as a humble assistant.

The day cleared up after I first wrote to you and gave us enough of cheerful sunshine to remind us of the old saying that

Happy is the Bride whom the sun shines on; and tho' in the afternoon it began again to rain, it was not till after everything was over.

To begin of course with myself. I looked charming!! Pootto had boned my boots till they shone like a negro's skin; he had starched my trousers till they were as white and firm as the said negro's teeth; my waistcoat's delicate tint, surrounded by the background of my Archer's Coat was like the meadows in spring, enamelled with primroses; my new hat shone like the Queen's Crown, and altogether I stood like Tithonus when he arises from the couch of Aurora! (Trouble you to beat that, *Morning Post*.)

At eleven Colonel Rowan called for me and we proceeded to the Church. The small streets at the back of St. George's were crowded with people as far as they could see back and the windows lined with heads as if it had been the Coronation day revived. We found the Vestry room pretty full and before the ceremony began it was quite as full as it could hold. Uncles and Aunts, brothers and sisters were nominally all who were invited, but others were there. Among the rest, Rowan—to whom by the way I made a speech which I daresay he would not quite approve. He said he had no business there for he was neither Uncle nor brother or near relation. Oh, I said, never mind that, you come, you know, as the *Grand Papa*. He laughed a very faint laugh. The Marquis, My Lady, and the girls soon arrived. Bessy came in on Lord T's arm and sat down in a corner of the vestry. Poor girl, I was sorry for her, thus plunging into a crowd, and thinking she had plague and confusion enough I did not go and speak to her. She kept the Veil over her head the whole time, but apparently was looking very well. She had a wreath of white flowers of some kind upon her head and her dress was white lace I suppose, but whip me if I know. All I can tell is that there was a white satin petticoat.

My Lord the bridegroom was very neatly put on in a blue coat, light slate coloured trousers, silk stockings and shoes and a white neckcloth. The bridesmaids were Charlotte and Louisa and Miss Wellesley; the best man Mr Gerald Wellesley the clergyman.

In a little while the old Duke arrived and was cheered immensely by the crowd thro' the whole streets as he came along. He was looking very well and was very much pleased apparently.

When we got into the Church you never saw such a cram in your life; the very pulpit and reading desk were full of people. By the way the tenants of the pulpit were Lady Rendlesham and her daughters. Such an interest and such eagerness to see the Duke were shown as was hardly conceivable. Great numbers of Peers and people were in the Church and I have heard since that both the Duchess of Cambridge and Dss. of Gloucester came to the door but were obliged to go away for want of room.

Dr Wellesley married them and, my word, he did not spare them for he read every word of the whole marriage service from Dearly Beloved down to Confusion. The pair and your Mama and sisters stood at the rails, your father a little behind, the Duke alone in the middle, and the rest of us on either side. Everybody behaved exceedingly well. Bessy hung her head very naturally and gracefully and panted a little towards the end, but not too much. My Lord was very cool and composed and looked up at the Gallery as he took his Bride out of Church; your Mama's eyes and Char's were a little red I thought, but I was not sure: however it was not a lacrymose affair at all. There was no blowing of noses. The Duke looked calm and a little touched and this I remarked in him the whole day; for when Lord Tweeddale called me afterwards and introduced me to him (for the 4th time I think), instead of giving me two fingers as he generally does he took hold of my hand and kept shaking it for some time very kindly—and his whole manner was softened as it appeared to me and others also.

Your father drew himself up to his full height and looked as firm and stern as possible. As Rowan said to me, 'D-ee he looked as if he was just going to charge a squadron of French Dragoons.'

After we got into the Vestry they gave the favours and then the People gradually went away. Lord and Lady Tweeddale and Lord and Lady Douro went home together. The girls with some one else. The Duke had ordered his Cab, as there had been a talk of the People intending to take out the horses of the carriage and dragging him home. However his Cab did not come and then he proposed to *walk*, till it was represented to him that they would most assuredly insist on carrying him home on their shoulders; and then he went home with Lord Maryborough.[1] At first they did not find him out, but whenever they did they cheered him vociferously. In short never did man before stand in such a position.

I went home with Rowan who was as melancholy as I, tho' probably for a different reason, and heigh-hoed loudly every other minute till about 1 we went to the dejeuner. We found a good many people there—the drawingroom had one long table in it and two round ones in two corners, and the diningroom had also a large table. The thing was very well arranged and very handsomely done, and first and last every one got seated. Douro was there and looked very happy and easy, but Lady D. did not appear: I think very rightly, tho' it was to the disappointment of many people. The newspapers will tell you all the names, which is far

[1] Baron Molyneux of Maryborough, brother of the Duke.

too much for me to undertake. All your relations were there I think, except the Hope Veres who were not asked, and Col. Steele who was at Brighton and would not come. The Cornwallis—old Peg and Lady Caroline, but not the Duke or young Duchess. Calcraft and Lady C., Lady E. Steele-Baillies—but Lady G. is ill—little Julia and Hobhouse, a nice little girl for whom I plundered the cake largely. Dss. of Montrose (Dow), the Duke but not young Dss. Leys. Lady Jane etc., in short, as I said, all the Clan. They drank Ld. and Ly. Douro's health and the Duke of Wellington's, and after he had given Ld. and Ly. Tweeddale's the people began to go away. I saw Jonny who told me Bessy was rather done and was lying down. I heard afterwards that Ld. Douro went out riding with Gifford! so that his Grace of Montrose's observation to me when I met him at the Club afterwards was not so exaggerated: 'So I hear she's gone to bed and he's gone out to take a ride.'

About ½ past 6 they set out for Strathfieldsaye and after the people had done driving about with their great cockades of favours there was an end of all—and as Brougham said to the Duke as he came to the H. of Lords, 'I wish you all joy of this event with which the whole town is covered over, for I see nothing but white favours in all directions.' It is over now and God prosper it.

Your Mama I was sorry to hear from Gifford this morning was not very well afterwards and was obliged to send for Painter. She was cold and had a bad sore throat. I have no doubt from fatigue and worry. I shall go there tomorrow and ask for them all.

Now I have given you a proper history of all this and have left I think nothing to tell you, but if there is anything left it will come out in answer to your questions. I have got a great lump of cake which I will bring down with me.

D.

Another glimpse of the lighter side of Charles Rowan is provided by an entry in Lord Dalhousie's diary dated 4th August 1839. He was recording a dinner at the Archers' Hall in Edinburgh, at which Rowan was present as a guest. Much excitement had been roused by news of the death of Sultan Mahmud of Turkey, and the defeat of his army by that of Mohammed Ali of Egypt, commanded by his son Ibrahim Pasha. Joyous but premature conclusions were offered in conversation at the dinner, to the effect that these events heralded the end of Turkey, the prompt action of the Powers in repressing Mohammed Ali's ambitions having been apparently unforeseen in military circles in Britain. Dalhousie wrote enthusiastically in his diary, after recording that discussion of the Turkish news had been general at the dinner:

Colonel Rowan distinguished himself by one of his best puns through this matter. A great dispute arose as to whether a dish which Lord

Tweeddale was carving were young turkeys or not. Some maintained they were fowls, and others strongly upheld them to be turkeys. 'They undoubtedly can't be turkeys,' said Col. Rowan to me. 'Why?' inquired I. 'Because,' quoth he, 'since this last great battle with Ibrahim, we know there isn't such a thing as a Turkey in Europe.'

A number of letters written by Charles Rowan to the Marquis of Tweeddale while the latter was Governor of Madras, during the years 1842–47, provide a more intimate glimpse of Rowan's mind than can be obtained from any other existing records. Lord and Lady Tweeddale seem to have had no hesitation in making use of his friendship and unselfishness, and in depending on him for all the services of a purchasing and forwarding agent in London. The main theme of the letters is Rowan's accounts of his various activities and transactions on his friends' behalf, which covered the purchase, and despatch to Madras, of horses, carriages, furniture, books and innumerable other items. One letter states the total cost of purchases to date as being £2487 . 15 . 5. Another mentions the sum of £1284 . 9 . 6 as the total of unpaid bills which Rowan had in hand. He was trusted to seek, select and despatch to Madras a suitable head butler, or 'Master of the Board' for the Governor's household, and he did so, accepting cheerfully the risk that his choice might prove unsuitable.

The following are a few quotations from the letters:

London, January 29, 1843.

. . . In general I look upon it that what I write to my Lady I write to you, and I know you must have so much to do in important business that it is better not to give you any thing additional. . . . May God Bless you and send you health and strength and understanding to go prosperously through with what you have begun.

Ever yours affectionately,
C. Rowan.

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Feby. 26, 1843.

My Dear Marquis,

I have to acknowledge the receipt of your letter of the 19th Dec. in which you give a flourishing account of your proceedings. There can be no doubt that you are doing what is perfectly right in the way of reforms and what is very much wanted. You are old enough however to know that whatever you do and whatever your intentions may be you will be by some misunderstood and by others misrepresented. I only say this for fear you should think that you will receive the meed of praise from all men supposing that your measures are all the very best that are possible.

These reflexions are partly suggested by an article which I enclose and which I cut out of the *Times* Newspaper, the reason I send it is that I think it not impossible that good natured people about you might withhold the newspaper which contains it for fear of causing you annoyance, and this might be right with them, but I think it would not be right in me, as much has been said here upon the subject. (Subject not mentioned.)

Floors Castle, Kelso,
2nd April, 1844.

My Dear Marquis,

Your long letter of the 26th Jany. was the more gratifying as it was unexpected, and *slaving* as you do I should be almost sorry if you were to repeat the sacrifice of time on my account, particularly as the kindness and punctuality of the Marchioness leave nothing to be desired on that head. It is very delightful to think that with all the work you have had, your health has in no degree suffered and I sincerely hope it may continue to do so, but good things may be pushed to an extreme. I hope the heavy work being all now got through, that you will have comparative rest or at least not more work than sufficient to keep the mind well employed. With the Civil Government and the command of so large an Army, there can never be less than this. It is to be sure wonderful, and to many incomprehensible, with sound principles for the foundation, and regularity and decision, how much business may be done in a short time.

I am truly pleased to find that you have got such men about you as you describe some to be. I have no doubt they are all you describe them, and I am sure if they were inclined to shew you only one side of any thing they would not be able to prevent your turning it upside down to have a peep at the other.

My only reason for making this remark is that I think in general when we form high opinions of people we are inclined to fall into their views and opinions without the careful examination that we would give under other circumstances. I was glad to hear from you that the Court had behaved well in the point you referred to. It had been mentioned that one of your appointments had not been approved of, but of course not a word was explained afterwards of the matter having been put right. Such is the world. On the whole from your account I imagine that you are going on beautifully, and in the best possible policy, in not quarrelling with those who would thwart your views, but quietly take your own course, and as you have nothing to conceal they cannot well misrepresent. . . .

It is an advantage Our Commanders have over most others that, commit what errors they may, the sterling qualities of the Troops will pull them through, unless under such shameful deficiencies as were exhibited in Afghanistan. . . .

I have been in some degree turned out of my own house by my Colleague (Mayne) and his wife, who is about to be confined there, so I profited by the occasion to come here and fish, where the reception is always as kind and friendly as heart can wish. The season has been desperately bad, we have had but few fishing days and but few salmon yet, altho' plenty of kelts. . . .

I shall say nothing about politics for the simple reason that I know nothing.

I have now paid you all the compliment I could in writing. It is the only real fishing day we have had. The Mertoun water was mine for the day, but I might *have missed the mail* had I gone out, and what would the *Governess* have said then?

I am greatly delighted that the horses pleased you. What a pity that the best should die. It is always the largest salmon that escapes. . . .

. . . (I) shall conclude by wishing you most heartily all manner of success, but particularly in exacting justice for *natives*, whether *Nabobs* or not.

Yours always affectionately,
C. Rowan.

London, 4th Dec. 44.

. . . You allude to enemies in India misrepresenting you at home. This is not unlikely, for every honest straight forward man will find such. . . . I heard it said a little while ago that you gave entire satisfaction to the Court but it was doubtful whether this was equally the case with the Horse Guards authorities. The very following day I was travelling with Fitzroy Somerset down to shoot and I mentioned this, when he laughed and said, 'On the contrary, I don't think we come into contact at all.' . . .

Floors, Kelso,
Oct. 21, 47.

My Dear Lord Tweeddale,

. . . I have just written to Lady Tweeddale and am truly delighted at the prospect of seeing you once more and hearing you tell of your Government adventures. I wonder whether you will take quietly to farming pursuits again, or whether you will not at least at first require some more active employment for the mind, after five years of incessant mental work. You will see by the papers what a deplorable state the mercantile world is in here at present, and I much doubt if we have yet seen the worst. The truth is that we are a nation of mercantile gamblers and speculators, and for my part I think we are only reaping the fruits of our avaricious money making spirit. The Government will not interfere, and as far as I can see my way which God knows is very little they are in the right. The nation went absolutely mad upon the railway affair, and they must now pay the penalty. . . .

Ever most sincerely yours,
C. Rowan.

The years between 1839 and 1848 passed quietly for the police in London. In 1842 prevention by the police of Chartist-inspired riots once again frustrated the plans of their instigators. Sir James Graham, the Home Secretary, wrote to Peel at this time: 'We have had a quiet night in London, and the suppression of the tumults here has had a magical effect in calming Merthyr

Tydfil which waited for a signal from the Metropolis.'[1] Under Rowan's guidance the wide expansion of the Metropolitan Police Force which had been permitted by the Act of 1839 was fully and efficiently developed in the course of the early eighteen-forties, without stress or strain, although the police district was enlarged to six times its original size and police strength was increased from some three thousand to nearly eight thousand men. Rowan's original basic plan of organization and the police methods and behaviour which he had introduced remained unchanged.

The Metropolitan Police Act of 1839 had allowed the appointment of an assistant for Rowan and Mayne, to be called 'the Inspecting or Visiting Superintendent', and this office was given to Captain William Hay, who had served with the 52nd in the Peninsula and with the 12th Prince of Wales's Light Dragoons at Waterloo. These facts seem to indicate that he was Rowan's choice, but there is no proof of this. He distinguished himself in the police while he was officially junior in status to the two Commissioners, but on Rowan's retirement in 1850, the removal of his influence engendered fierce quarrels between Hay and Mayne, and a long series of troubles of various kinds for the police.

The last of the attempts by Chartist extremist leaders to stage a serious revolutionary rising in London occurred in 1848, and the known plans for it and what seemed at first to be its prospects of success caused more fear and concern to authority and the peaceably disposed citizens of London than had been created by earlier menaces of this kind. It is to be hoped that the following account of the Chartist disturbances of 1848 will clarify and put an end to some firmly established misconceptions concerning them. Authority enrolled one hundred and seventy thousand Special Constables[2] whose services were not required. The plan of the Chartist leader, Fergus O'Connor, was to hold a mass meeting on Kennington Common, and there form a procession which he hoped would become an irresistible mob of some hundreds of thousands of his supporters. These, with the nominal purpose of presenting a petition, would march to the Houses of Parliament and besiege them, thus achieving the

[1] Quoted by Moylan, *Scotland Yard and the Metropolitan Police*, p. 64.
[2] Annual Register, 1848, *Chronicle*.

downfall of constitutional authority and its replacement by revolutionary Chartism.

The date on which this action was to be taken was Monday, 10th April, but the visible presence on the Thames bridges of strong bodies of police and the known presence of troops in concealment in premises in various areas damped revolutionary ardour to such an extent that only twenty thousand Chartist sympathizers appeared at the meeting. There appeared also Richard Mayne,[1] who told O'Connor that the police would not interfere with the meeting but that the planned procession would not be allowed to proceed. O'Connor gladly seized the chance of capitulating. The petition was taken later to the House of Commons, privately and piecemeal, and it is said to have been found farcical with regard to the number of signatures attached to it and the nature of many of them. Before the day was over all fear of a Chartist rising in London had evaporated.

Apparently without exception, all the historians and biographers who have described these events have given full and often lyrically worded praise for the combined police and military defensive plan by which the Chartists were defeated to Wellington, who was at that time Commander-in-Chief. They have turned a blind eye to the existence of a letter which Lord John Russell wrote in 1872[2]:

Pembroke Lodge, Richmond Park,
August 4th, 1872.

Dear Mr Gleig,

I have now finished your book and am much delighted. I think that as a patriot the Duke's motives were always pure, though in his difficult task of reconciling the Tory party to progress and liberal measures he sometimes stumbled. He declared to the Queen that he could not work with me politically, but I always found him ready to help me with any advice in his line of duties. E.G. when the 10th of April caused some alarm and much uneasiness, I settled with Mayne and Rowan, the two Commissioners of Police, that Fergus O'Connor's army was to be stopped at Kennington, and not to come over the bridges. I asked the Commissioners to draw up a programme, and I invited the Duke to come to a cabinet which I had summoned.

When we were assembled and the Duke and the Commissioners present, I requested Sir C. Rowan to read the programme. When he had done, I turned to the Duke and said, 'Do you approve of this plan?' When he had approved, I left it to him to make the military arrangements,

[1] *Grenville's Journal of the Reign of Queen Victoria*, vol. III, p. 166.

[2] *The Life of the Duke of Wellington*, by the Rev. G. R. Gleig, revised edition, 1891; appendix, p. 498.

which he did with his usual skill and judgment. Such was the reason the day passed over so quietly—all was prepared and executed carefully.

I may write somewhat more another day,

Yours truly,

Russell.

It is clear that even the military part of the plan originated with the Commissioners, and that Wellington agreed to it and carried it out. It can be assumed that it was made by Rowan, as Mayne was not a soldier. It is curious how attribution to Wellington of credit for all that is praiseworthy in connection with police has persisted in the almost total absence of factual evidence. Fortescue excelled all other historians in obscuring the truth in this respect when he announced: 'All the police of the Empire are really copied from Wellington's Metropolitan Police.'[1]

On 6th March 1848, four weeks before the attempted Chartist rising, Charles Rowan was made a Knight Commander of the Bath. It seems that authority recognized the extent and value of his achievements, though they have been consistently ignored since his death. A last glimpse of him with friends in London is given in letters from Charles Beckwith[2] to Sir Harry Smith in India. Both men had been Rowan's intimate companions in the Peninsula. In a letter of 5th April 1846 Beckwith congratulates Smith on his having been given the thanks of Parliament for his victory at Aliwal, and continues[3]:

On the day that thanks were voted to you in Parliament, I invited Barnard, Johnny Kincaid, Rowan, Alix. MacDonald and others of your old friends and comrades to dine with me, and we drank a bumper to your health and that of Lady Smith.

In a letter of 26th September 1846 Beckwith writes[4]:

The last enemy has done his worst on very many of our Peninsular companions. Sir Andrew and some Riflemen still remain to dine together in Albemarle Street. Charley Rowan is letter A, No. 1. Old Duffy

[1] *Wellington*, by the Hon. John Fortescue, p. 230.

[2] John Charles Beckwith joined the 95th as an ensign in 1803, fought under Moore and Wellington in the Peninsula, and lost a leg at Waterloo. Later, when visiting Apsley House, he picked up casually in the library a book on the sufferings of the Protestant Waldenses who had been driven into the mountains of Piedmont by religious persecution. Charles Beckwith devoted the rest of his life, and much of his fortune, to them, living among them, building schools for them and 're-awakening in them the evangelical faith'. (*Dictionary of National Biography*).

[3] *The Autobiography of Sir Harry Smith*, vol. II, pp. 210–11. [4] *Ibid.*

regulates the Club, Johnny Bell cultivates dahlias at Staines, Will Napier misgoverns the Guernsey men, Johnny Kincaid regulates the secrets of a prison-house, Jonathan Leach writes histories; thus each labours in his vocation, and has still a conceit left him in his misery.

Rowan had been showing signs of failing health during the later eighteen-forties, although he was well enough to attend to his duties and to appear as a distinguished guest at the Waterloo banquets at Apsley House. He felt obliged to retire in 1850, the year in which he was diagnosed by his doctor as suffering from colonic cancer. On 24th January 1852 he made his will, and he died soon afterwards, on 8th May, not in his home at 17 Bolton Street, where he made his will, but in a house in Park Lane which was destroyed recently by enemy bombing and has now been completely erased. It was the home of the widow of a wealthy Church of England clergyman.[1]

In his will, apart from a few small legacies, Sir Charles Rowan left all his property to be divided among his six surviving brothers and his sister-in-law, Mrs Sally Rowan, in equal parts. His brothers John, Hill Wilson and Robert were in Ireland. James, a major in the Army, was in London and was named as executor. William was at the time a major-general and G.O.C. in Canada, and Edward was a captain in the Navy. Mrs Sally Rowan, the widow of Frederick, a brevet-major in the West Indies Regiment who had died on military service there, was living in London with her two daughters, Eliza and Frederica.[2]

The will mentions also Lieutenant-General Sir George Napier

[1] The living descendants of this lady have made generous and exhaustive efforts, without avail, to throw light on what certainly appears to have been her kindness to a dying and possibly lonely old bachelor in his last extremity, but my suggestion that her motives were of this nature has been questioned on the grounds that she was 'a very forbidding old woman, cross and grumbling, and a terror to children', and 'not the sort of person to take in and nurse a dying man'. From the evidence, she seems to deserve kindlier judgment. C.R.

[2] Mrs Sally Rowan was a Norwegian lady who returned to Europe with her two daughters after her husband's death, and lived for some time in various places in Norway and Denmark, and in Weimar and Paris. She came to London in 1844. On 1st December of that year Charles Rowan described her difficult financial circumstances in a letter to Peel and asked him to give her the post of Housekeeper in the Department of Stamps and Taxes, which was vacant, and she appears to have secured it. She and her daughters lived permanently at 20 Fulham Place. Frederica, who was a distinguished linguist, became famous for her translations, and was the author of some histories. At Queen Victoria's request she translated into English a favourite book of the Prince Consort's, for private circulation, in 1862. She died in 1882. (*Dictionary of National Biography*, and Manuscript Room, British Museum, No. 40555-5.)

to whom Sir Charles Rowan bequeathed his gold watch; his godson, Lord Charles John Kerr, the second son of the Duke and Duchess of Roxburghe, who was left all his godfather's guns, fishing rods and tackle; and another godson, Richard Charles Mayne, midshipman (later vice-admiral, R.N.), who received a hundred guineas. The executor of the will was instructed to have made and to present to the Duke and Duchess of Roxburghe a mourning ring for each, 'as tokens of affectionate regard, merely'.[1] There is mention also of a diamond snuff box, and of an oil painting of Sir Charles by William Salter. These items had already been given to the Duke of Richmond[2] and the Marquess of Tweeddale[3] respectively.

The catacombs below the Chapel in Kensal Green Cemetery are a curiosity of London which seems to have been overlooked by her historians. The cemetery was opened in 1833 and the Chapel was for some time a temporary erection. When it was reconstructed in permanent form its foundations included a labyrinth of narrow passages running between high tiers of stonework receptacles, like nesting-boxes in an old dovecot, made large enough to carry coffins. That these catacombs were built is proof that there was a demand during the middle years of the nineteenth century for this form of burial. The reason may have been fear of body-snatchers. More probably the demand was a short-lived consequence of Edwin Chadwick's lurid and sensational *Report on Intra-Mural Interments* published in 1843, or of the already widely known facts on which it was based.

Today, in the dim light of a lantern held overhead, only the ends of the coffins are visible, behind a thin, wide-meshed metal grille, and dampness has made it difficult to decipher the section-numerals which are almost the only means by which an individual resting-place can be identified. Here and there the end of a receptacle has been closed by a thin, closely-fitting slab of stone or plaster, and on one of these can be read, roughly chiselled:

[1] There are no records of Charles Rowan at Floors Castle.

[2] The young Earl of March of Peninsular War fame. The present Duke of Richmond has written: 'I can find no trace of the snuff box, and we have no correspondence of the 5th Duke of Richmond at all, which is a great pity.'

[3] This portrait was generously presented to the Metropolitan Police by the present Marquis of Tweeddale in 1952, and is now at New Scotland Yard.

Lieut.-Colonel
Sir Charles Rowan
Died 8th May 1852
Aged 68 years

Overhead, and above ground, the walls of the Chapel are extended to form cloisters and small chambers which at one time carried rows of marble tablets bearing epitaphs of those who lie in the coffins, of which there are some hundreds, in the strange vaults below. Most of the tablets are in fragments, and the additional effects of bomb damage make impossible a thorough investigation of the few which remain intact. Somewhere among them is, or was, one commemorating Sir Charles Rowan. A copy of it survives, but it consists only of a brief and uninformative summary of his career. Very different is the following obituary notice which was published in *The Times* of 24th May 1852, and was obviously written by one who knew him well:

> His zeal and ability accompanied by a natural shrewdness and thoughtfulness, embracing as well much tact in the execution of his military duties, very soon made him conspicuous among his brother officers, and brought him under favourable notice of his superiors. . . . On the establishment of the then New Metropolitan Police, he was at once selected by that eminent statesman, Sir Robert Peel, to undertake the task of organizing that now efficient and popular force. Those who now witness (and more especially when recently the eyes of the world were fixed upon it) the usefulness of that body can little conceive the difficulties which had to be encountered and overcome in the engrafting of the discipline and efficiency of a military force on the heretofore constitutional but inefficient police constable, the apprehensions entertained of its impractibility, and of the constitutional prejudice it naturally had to overcome. That difficulty Sir Charles Rowan undertook and overcame and, with the assistance of the present Commissioner, Sir Richard Mayne, who associated with him, formed a force to which the peace of this great metropolis is intrusted; and which has given an example of what may be effected by talent and assiduity, not only to every town and city in the empire, but in some degree to almost every city in Europe. . . .
>
> No individual of any rank or station could be more highly esteemed and loved when living, or more regretted in death.

CHAPTER XV

BUILDING ON SAND IN THE EIGHTEEN-FIFTIES

IT OFTEN happens that an obituary notice in *The Times* of someone whose services to the nation have been outstanding is promptly followed by the complete effacement of his name from history. What has been particularly regrettable in the case of Charles Rowan is the near loss of all public understanding of his police ideals and conceptions, which today present the paradox of having been lost in theory while remaining, fortunately, in practice. For the failure of authority and the public to understand the peculiar values of our police, and for historians' neglect of them, there are many causes. One is the ceaseless and wanton destruction of police documents which has been permitted unchecked throughout the course of a century and a quarter, wherever these have been found to exist. Another cause is the seemingly insuperable difficulty which many people, other than serving policemen, have in understanding Rowan's conception of the principle of the *prevention* of crime and disorder. Not least of the causes of the forgetfulness of him and his services was his immense and inherent modesty.

From the moment when he assumed office in 1829 with his young colleague, Richard Mayne, and always thereafter, Rowan insisted on all correspondence and pronouncements in connection with police matters being issued as emanating from 'the Commissioners', and not from one or other of them. While Rowan lived their names never became known generally to the public, and were rarely mentioned in the Press. Later, when Mayne became sole Commissioner, some years after Rowan's death, his name and his figure in uniform soon became well known, and this explains why he has been allowed by some historians to share with Wellington and Peel some of the credit for having planned and created the police.

The truth is that Mayne highly appreciated but never wholly

understood the significance of Rowan's principles and ideals. In association with him Mayne was always a loyal and active colleague, invaluable for his practical organizing ability, his mastery of legal detail, and his formidable, and on occasions devastating, power of expressing himself forcefully in argument and of effectively silencing unscrupulous enemies. Mutual respect between him and Rowan soon developed into warm affection, which their difficulties and loneliness in their early struggles strengthened and made permanent. No sign exists of there ever having been differences of opinion or disagreements between them, but the withdrawal of Rowan's guiding hand and mind in 1850 soon brought to light some weaknesses in Mayne which are invisible in the record of his work with Rowan. In this year Captain William Hay, who since 1839, under Rowan's influence, had apparently carried out efficiently the duties of Assistant Commissioner, was promoted to the rank of Second Commissioner. The Home Office flatly and persistently refused to rule whether Hay was or was not under Mayne's orders, and it soon became clear that there was a dangerous interruption of what in Rowan's time had been the smooth functioning of organization at Scotland Yard.

In 1851 the effective policing of the Great Exhibition and its environs, largely planned by Mayne, hid signs of trouble during that year. In the following year, after Rowan's death, the confusion of police arrangements at the lying-in-state of the Duke of Wellington at Chelsea Hospital led to loss of control of the assembled crowds, and several people were crushed to death. Hay secured the insertion in the newspapers of a paragraph asserting that the tragedy was entirely the fault of Mayne.[1] In spite of Mayne's strong protest to the Home Office and his plea that trouble between him and Hay was the result of 'the jarring of undefined co-ordinate authority', officialdom declined to interfere. It is difficult to believe that the existence of trouble between the Commissioners was not welcome at the Home Office, as tending, possibly, to lessen the growing power of Scotland Yard to assert its independence of dictation and control, which it was deriving from the growing popularity of the police and the praise which had been universally bestowed on them in 1851. A few months after the incident of the news-

[1] Moylan, *Scotland Yard and the Metropolitan Police.*

paper paragraph Mayne discovered that Hay had been secretly corresponding with the Home Office on the subject of 'proposals for a different mode of carrying on the police duties'.[1] This reflects further discredit on Home Office officials and it is regrettable that more details of the affair are not available.

It became clear presently that the police were failing in the effective control of mob disorder which they had gained and never lost while Rowan was in charge of them. In 1855 there was a sustained battle in Hyde Park between the police and a mob assembled there in protest against Lord Robert Grosvenor's bill for enforcing Sunday Observance on the public. In that year William Hay suddenly became ill and died. Richard Mayne became sole Commissioner. During the remainder of his life the police in London never fully recovered their earlier effectiveness. In July 1866 a serious riot resulting from the prohibition of public meetings in Hyde Park ended in the near-defeat of the police, and in the disgrace of having to be rescued, for the first time in their history, by troops. While commanding in person on this occasion, Mayne was wounded, by a stone or brickbat thrown at him from behind, and the Press and public joined in criticism of the police. Richard Mayne was an able lawyer and administrator, but he lacked the vision, sensitiveness, sympathy and imagination indispensable for a true policeman. It is curious that public criticism of the police in London after Rowan's death gradually consolidated itself into complaint, not of the military 'Blue Army' nature of the police, which had been the keynote of criticism thirty years earlier, but of their lack of military efficiency and structure! One consequence of this was that authority was moved in 1864 to provide them with helmets, in place of the large top hats, with iron supports, which they had been wearing since their establishment. The statement that proposals to militarize the police emanated from Wellington and the Tories is wholly false. Demand came directly from the public, and was supported by the efforts of some foolish but vocal Chief Constables of the new county forces, which will be described presently.

The main thoroughfare of Metropolitan police history leads by way of the records of the Commissioners who succeeded each other at Scotland Yard after Mayne's death in 1868 through the

[1] Moylan, *Scotland Yard and the Metropolitan Police.*

riots in Trafalgar Square in 1886-87, the police strikes of 1872, 1918 and 1919, and the long-delayed removal of police grievances of many kinds, in London and the provinces, which was effected by authority's acceptance of the recommendations of the Desborough Committee of 1919. All these events are important, but they have been recorded, by various writers, too exclusively in their own setting, and without the necessary background of police history as a whole. Recent documentary discoveries have opened a new and extremely interesting view of this which is revealed by the later activities of Edwin Chadwick and others, after rejection of the proposals made by him and Rowan in the Report of the Royal Commission on Rural Police in 1839.

This Report recommended, wisely in the circumstances of the times, that provincial police should be centrally trained and remain to some extent under central authority and organization, while being at the same time subject to local control with regard to orders, duty and discipline. These proposals were emphatically rejected by the Whig Government of the day, which, weakly yielding to the objections of local authorities and public criticism, by means of the 'Permissive Act' of 1839 enabled magistrates, if they wished, to establish county forces of any kind that suited them, subject to some slight limitations with regard to numbers of men employed, and other details. The Whig Government has been blamed for its failure to foresee the confusion which was the consequence of the 'Permissive Act', but it was not blind. The following private letter from the Home Secretary, Lord Normanby, to his Under-Secretary, Fox Maule, is a valuable revelation of Cabinet weakness.[1]

Private

Oct. 1st, 1839.

My dear Maule,

I shall be quite satisfied with whatever you in conjunction with Lord John and Phillipps settle about the Rules [*sic*]. It is far from my wish in any respect to slacken any control over the Magistrates which can be successfully maintained. On the contrary, I think it is a serious and almost fatal error in the Bill that the new (Rural) Police is not more closely under the Government, this arises necessarily from our weakness for all legislative purposes. My only hesitation is lest by assuming more than the Bill already confers we might increase jealousies and strengthen opposition.

Ever yrs.

Normanby.

[1] Dalhousie Manuscripts.

The story of Chadwick's subsequent efforts on behalf of police efficiency, and of the unfortunate consequences for present-day police administration of his eventual failure begins with two long letters written by him, from which the following extracts are taken. They repay careful consideration because they throw clear and concentrated light on police needs and problems in the middle years of the nineteenth century. The first of these letters is addressed to Sir George Grey, newly appointed as Home Secretary in Russell's Cabinet of 1846[1]:

Poor Law Commissioners Office,
Somerset House.
11th June, 1847.

To Sir George Grey, Bart.

Sir,

In the course of some enquiries between the Committee in district Asylums during the last Session of Parliament allusion was made to the proceedings under the Commission for enquiry into the means of establishing an efficient Constabulary Force, when I stated that the enquiries directed under that Commission have not been completed. I have been unable to call any meeting of the Commissioners, but I some time since spoke to one of them, Colonel Rowan, who agreed that it might be desirable, under the circumstances, that I should state for your information the position of the enquiry, and why it has never been completed, as its non-completion has been occasioned chiefly by circumstances concerning myself.

The Commission was directed in 1836 to Charles Shaw Lefevre, Esq., (the present Speaker), to Colonel Rowan and to myself.

It directed us to enquire,

1st. As to the best means of establishing an efficient Constabulary Force. . . . But there was another reference in the Report, that we should consider of the constitution of a Constabulary Force 'especially with a view to the prevention of crime' on which we have never been able to report, although much evidence has been collected upon it. The practicable measures of *prevention* formed a new topic of investigation which had never before been entered upon, and it involved the determination systematically, of the large questions as to what could and what could not be prevented by the action of a police, and what must be done by the public themselves. On this topic, the information collected, though incomplete appeared to me to be extremely important, and this information remains to be put together and dealt with. . . .

The letter continues with statements of other references on which the Royal Commission was instructed to enquire: 'Proceedings before trial', 'Arrangements for Public Prosecution', and 'The Powers and Duties of Public Prosecutors'. Without requesting leave to complete the Royal Commission's labours,

[1] Chadwick Manuscripts, University College Library, London.

Chadwick suggests that the matters which he mentions are 'undeveloped', and that they will remain so unless he and Rowan, or another Commission, undertake their investigation. The letter was answered by Samuel Phillipps[1]:

E. Chadwick, Esq. Whitehall,
15th June, 1847.

Sir,

I am directed by Secretary Sir George Grey to acknowledge receipt of your letter of the 11th inst., on the subject of the enquiries instituted by the Commission respecting the Establishment of a Constabulary Force. Sir George Grey is fully sensible of the importance of the subject and of the value of the information collected by the Commission and embodied in their Report: and he has no reason to doubt that public advantage might be derived from the arrangement and completion of the information upon the further topics, adverted to in your letter.

He is not prepared at the present moment to say in what manner this object may be best effected; but he will bear in mind your offer of further assistance in connection with this subject, and will be happy if he should be able to avail himself of your services with regard to it.

I am,
Your obedient Servant,
S. M. Phillipps.

In 1850 Chadwick wrote another long letter on the subject of the Royal Commission Report, but the name of the recipient is unknown[2]:

October 11, 1850.

My dear Sir,

I send you herewith a Report of the Commissioners appointed to enquire into the expediency and means of appointing a paid Constabulary Force. . . . The state of evils therein described you will, I think, find in all its features, the same as that which exists in the Counties adjacent to the Metropolis now.

The general conclusions would be applicable with little variation at the present time. . . .

In the Report you will find the jealousies of the interference of the trained Police, and the evils and weakness occasioned by clashing jurisdiction.

We asserted as a principle that the action of a Police must centre on a town; that no other than a trained Force was of any value. We demonstrated that crime was centralized, and that it could only be met by centralized means.

At the time we sent in our Report, there were strong political conflicts. . . . The Government was then very weak. . . . The Principle that a trained constabulary must centre in its action in and from the towns involved an interference with the Corporations who had received functions

[1] Chadwick Manuscripts, University College Library, London. [2] *Ibid.*

as to police which it is acknowledged they never ought to have had, as being incompetent to them, and it would also have interfered with the local magistrates.

The Government would not venture to do either. . . . They therefore passed a merely permissive measure. . . . Here and there weak Constabulary Forces have been appointed, as in Essex, Hertford and other places, but poor as they have been, they have been of proportionate effect.

Now, as then, the landed gentry whose houses have outer walls and porters' lodges, and are, as it were, garrisoned by servants, ride out attended by grooms, and feel and see no real danger to person and property, whilst they feel a strong objection to increased rates. It will be a long time before they will appreciate the economy of having the country rendered safe and habitable, or before Parliament will be brought to conceive that a preventive police may be a means of reducing the existing burthens of crime.

On the other hand, the Corporations of the towns were content with their own wretched constabularies, tenacious of patronage and ready to raise a yell against the slightest interference. It was somewhat curious to find how many of the Watch Committees of towns we found under the direct influence of the publicans of the towns.

We were quite aware of the strength of the two influences at that time, but we could perceive no other means of obtaining efficiency but by a trained Force and consolidation. We could only say that the House of Commons chose the maintenance of these influences to the suppression of crime. There was no help for it. It was clear to me that all habitual depredations and crime by persons who live habitually by it may be ascribed as the result of mal-administration. . . .

Chadwick was certainly wrong in his sweeping criticism of the borough police forces. Many of them which had been built from a nucleus of trained men from Scotland Yard were very far from being 'wretched', in spite of the truth of Chadwick's references to the evils of patronage, publicans, determination not to increase rates, and other deplorable 'results of mal-administration'. Candid exposure of the defects of local control of police today would echo much of what he wrote a hundred years ago.

No reply to this letter has been preserved. In 1852 the Russell Whig Ministry was succeeded by the Aberdeen Coalition Ministry of Peelites and Whigs, with Palmerston as Home Secretary. On the ignorance and incompetence and almost total lack of policy with regard to police affairs which the Home Office displayed during the course of the following four years documentary evidence throws some lurid light. On 26th April 1853 the increasing scandal of police confusion in the provinces moved the Cabinet to appoint a Select Committee 'to consider

the Expediency of adopting a more Uniform System of Police in England and Wales and Scotland'. The members met on 5th May, and issued a First Report on 10th June and a Second Report on 5th July. Within the limitations of their vision and experience they were the most competent, effective and practical-minded of all the bodies which were given the task of enquiring into police affairs in the nineteenth century.

The many witnesses examined by the Committee were mostly senior police officers of various kinds, land-owning magistrates and other local government representatives. They were surprisingly unanimous in their views regarding the need for consolidating police administration and removing its many absurd anomalies in the provinces. Some study of the evidence is essential for understanding subsequent police history, as a clear view is provided of the confusion which existed in the provinces in the eighteen-fifties, and of the complete breakdown of policing which was threatened. As the result of the basic Scotland Yard organization which had been established in the larger boroughs, the police of these were said to be generally effective in their own particular areas, but jealousy between them and the men of adjoining county forces with its consequent effects in the form of antagonism and withholding of co-operation were deplored as a serious cause of trouble and of stultification of police efficiency. As the consequence of the 'Permissive Act' of 1839, there were police forces in twenty-two counties and in parts of seven others. Unlike those of the boroughs which had been modelled on Scotland Yard, most of the county forces had been personally created, and developed on strange and often dangerously original lines by officers from the Army and the Navy and other individualists who were hostile to all ideas of police organization that were not their own. Some county forces had been modelled roughly, and exclusively, on the Irish Constabulary. The weakest and most absurd of all were the consequence of a curious statute of 1842, which was called 'An Act for the Appointment and Payment of Parish Constables'.

It can be surmised that this Act was the product of pressure by county magistrates who wished to take advantage of the 'Permissive Act' of 1839 and establish a police force, but did not want to have to pay for one, if this could be, at least partly,

avoided. The 1842 Act enabled the 'justices' in any county to require overseers to produce a list of all able-bodied men in each parish who were competent and eligible to serve as Parish Constables. The vestries were allowed to decide that one or more of these should be paid. The justices were then privileged to decide the amount of pay but, incredible as it may appear, this had to be furnished from Poor Relief funds. If they wished, the justices were allowed to provide a lock-up house, but they were obliged to pay for it, and obliged also to appoint and pay what was called a 'Superintending Constable', who was given charge of the lock-up house and of all constables in the area for which it was provided, and he had to be exclusively under the orders of the justices. Evidence given to the Select Committee of 1853 proved that this type of county police force had become wholly unworkable wherever it was established, because Parish Constables refused even to turn out when called upon to do so by their Superintending Constable, and Special Constables put under his charge invariably disappeared at the first sign of trouble. A few details of the evidence heard by the Committee deserve to be recorded.

Captain William Harris, 'commanding Hampshire police', claimed that his force was equal to the Metropolitan Police, but made bitter complaint of the jealousy and lack of co-operation from which his men suffered in their dealings with those of the borough police forces in the county. He solemnly proposed to the Committee that all police forces should be organized on a military basis, with Irish Constabulary discipline, and said that all trouble with borough forces could be ended by establishing a National Police Force for the whole country.

Sir W. Heathcote, Bart., a Hampshire magistrate, said that in the absence of a well regulated police force the sufferings of the poor were greater than those of gentlemen and farmers.

Captain J. B. B. McHardy, R.N. (later Rear-Admiral) had, by 1853, been Chief Constable of Essex for nearly fourteen years. His force had acquired undeserved popularity and spurious fame as the most efficient of the county forces, and this led to his becoming, as an individual, a very serious menace to what has in course of time become our national conception of police. From the date of his appointment in 1839 he showed himself a determined enemy of Rowan and Mayne. He deliberately

recruited for the Essex Constabulary men dismissed from the Metropolitan Police for gross misconduct. The London Commissioners stated strong and well reasoned objections to this practice, first to him and later to the Home Office, but apparently without effect. Captain McHardy when giving his evidence asked for the creation of a National Constabulary which would be the nucleus of a Military Defensive Force, with local organization, and expressed the opinion that 'this would be the greatest benefit that could be conferred on the country'. He was very popular among property-owners in Essex on account of the great reductions he had made in the number of vagrants, thus decreasing the expense of Poor Relief. He told the Committee that the idea of policemen being made Assistant Relieving Officers had been his, and that he had had it adopted in Essex in spite of opposition from the Poor Law Board, with the result that out of 2,605 applicants for Poor Relief in the past six months, only 100 had been considered as deserving of it. What Chadwick thought of this pronouncement is unknown.

Maurice Swabey, Esq., a Buckinghamshire magistrate, said that his county had been partitioned for police purposes into ten divisions, each with a Superintending Constable, who was paid £90 a year and given control of all the Parish Constables. In most parishes only one of these was paid. The Superintending Constable was also an Assistant Relieving Officer. 'Where there is a Police Force,' Mr Swabey added, 'vagrants are driven out.' Many vagrants were rogues, but in the eyes of this witness and of many property-owners genuine destitution was synonymous with vagrancy and crime.

J. Parker, Esq., a solicitor from Essex, told the Committee that an attempt made by the county magistrates to reduce the pay of their much appreciated, vagrancy-eliminating police on the grounds that the price of corn had fallen had been unsuccessful.

Witnesses from the towns and cities were generally unanimous in praising the borough forces but critical of the abuse of power and the corruption which ensued from control of police by town magistrates and local councillors. Many members of Watch Committees were said to be publicans who could, and did, secure dismissal of any policeman who offended them. A theme of much of the evidence was the need to dissociate everyone

concerned with police administration from financial interest in crime.

J. Faucett, Esq., a Carlisle magistrate, said that a general system of police organization for the whole country was desirable because it would effect a great saving in expense. He said also, 'I always look at the rural police as being more beneficial as a preventive force than as a detective force.' Asked if he did not think that detection led to prevention, he replied, 'If you can prevent crime, it is better than detecting it; no doubt, if you detect an offender, for a while you will prevent that person from committing that offence again.'

William Hamilton, a Superintending Constable of Buckinghamshire, said that the borough police of Wycombe were sent round by members of the Town Council to canvass for votes for them at local elections, and that the policemen were completely and corruptly under the control of members of the Watch Committee.

The evidence given by Edwin Chadwick to the Police Committee of 1853 far exceeds in interest that of all other witnesses. He said that the results of the 'Permissive Act' of 1839 had been much more satisfactory than he and Rowan had anticipated. This is a surprising statement in view of the known facts of police confusion in rural districts which had occasioned the work of the Committee which he was addressing. The explanation seems to be that Chadwick never thought very deeply about police, and frequently changed his views on various aspects of the subject throughout his life. He never clearly understood the functions and principles of police as Charles Rowan conceived them. Chadwick was a persistent borrower of other people's ideas but, as will be shown later, when he came under the wholly baneful influence of Captain McHardy of Essex, it was while under the influence of Rowan and his ideas and for some years later that Chadwick achieved his nearest approach to perfect understanding of policemanship and police requirements. In 1853 he was disturbed by the maladministration by Watch Committees of the police of towns and cities and expressed this feeling strongly when giving evidence before the Select Committee. He said that borough forces were expensive and unnecessary. He thought that each separate county should be a unit of police organization and management, both for its

towns and cities and for its rural area, and he advised that the management and control of a county police force should be centred in its towns. 'In the towns,' he said, 'the hand must be placed from which fingers may be extended and withdrawn, according to the need.' This departure from his earlier views promptly brought him the question: 'Did you recommend in your report (1839) that the system of police should be under general supervision in London?'

To this Chadwick made the following reply, which contradicts to some extent his advocacy of single county administration of police:

> Yes; to obtain the efficiency and economy of general action against wide-spread and shifting evils, there must be a general supervision, and that administrative supervision and direction, like the legislative supervision and direction of Parliament, must be in the Metropolis. But I would here beg leave to state a modification of the views set forth in our first report. We proposed that when the Act was adopted for any county, and adopted, as we contemplated, for the county in its entirety—for the towns (Boroughs) as well as for the rural districts—that it [*sic*] should be an extension of the Metropolitan Police Force, and supplied from thence with a detachment of trained constables, and appointed sergeants and inspectors. It was then, however, our opinion that it would be eventually found necessary to direct a national police force wheresoever it was adopted, from several district centres, each centre comprising several counties. At the time we made our report there was no other trained force known in England, to which we might refer as to what was meant, or as a resource for trained men. But the circumstances have much changed in that respect. The special adaptations of the Metropolitan Force and its habits of action, which render it less fit for provincial service, have increased.

If these remarkably prophetic pronouncements had originated in the mind of Edwin Chadwick it can be assumed, from all that is known of him, that he would certainly have used the singular pronoun in his delivery of them. There does not appear to be a vestige of truth in his statement that in 1839 he and Rowan believed 'that it would be eventually found necessary to direct a national police force . . . from several district centres, each centre comprising several counties'. This new idea which Chadwick said had originated with Rowan and himself, and of which there is not a scrap of mention in his later writings, seems to have been the outcome of a gradual process of thought in Rowan's mind, for which he found words in later years, and not

in 1839. Chadwick reveals the truth in two sentences of his evidence which followed, and in his use of the word 'now':

> The late Sir Charles Rowan expressed to me his view that it would now be better to leave the Metropolitan Police as a special district, by itself, of course under general supervision in common with other districts, rather than attempt its extension. The consultation of local feelings and convenience and, within proper limits, of the feelings of private individuals, is necessary to conciliate the support required for the efficient action of any police.

The Police Act of 1946 and the consequent amalgamation of some county police forces in groups, in England and Wales and in Scotland, is the beginning of the fulfilment of what was unquestionably Rowan's prophecy.

The Select Committee of 1853 reported in the form of eight Resolutions:

1. That the Act commonly called the Rural Police Act (1839) from the permissive character of its enactments failed to provide such a general and uniform Constabulary Force as, in the opinion of your Committee, is essentially required for the prevention of crime and the security of property.
2. That where the Permissive Act has been used beneficial results have followed.
3. Superintending Constables have proved useful as Police Officers, but are no remedy for inefficiency of Parish Constables.
4. Costs of a Police Force are ascertainable, but aggregate saving effected is not generally known or appreciated.[1]
5. Police Rate should be adjusted by enactment to remove objections to it.
6. Lack of co-operation between Forces causes inefficiency. Smaller Boroughs should be consolidated with Counties. Larger Boroughs should be under a similar system of management and control to that of the adjoining district or county and, where practicable, under the same superintendence.
7. It is a matter worthy of the consideration of the House whether some aid should not be afforded by the Government towards defraying the cost of an approved and extended system of Police without essentially interfering with the local management of that Force.
8. That it is the opinion of Your Committee that it is most desirable that legislative measures should be introduced without delay by Her Majesty's Government rendering the adoption of an efficient Police Force on a uniform principle imperative throughout Great Britain.

5th July, 1853.

[1] These words carry a lesson for the many people in Britain today who prefer to suffer the colossal moral and material costs of crime and traffic disorder rather than face the comparatively small financial cost of increased police strength and efficiency which can provide the remedy. The total cost of police per head of the population of England and Wales for the financial year 1952-53 was only £1. 4s. 3½.

For the causes of the following strange sequence of events there appears to be no explanation. The Select Committee's Report seems to have been pigeon-holed at the Home Office, and ignored for three years. Then in 1855 Chadwick approached Palmerston, the Home Secretary, with the pleas that he had made to Sir George Grey in 1847 without success. With Palmerston Chadwick was completely successful. Ignoring the Report of the Select Committee, Palmerston gave him detailed orders to complete, alone, the unfinished task of the Royal Commission of 1836-39. In the following year Palmerston became Prime Minister and nothing more is known of Chadwick's efforts. Sir George Grey returned to the Home Office. Whether under the pressure of increasing police confusion in the provinces or of Crimean War problems or of both, the new Government hurriedly produced, largely from the Select Committee's Report (1853), the 'Obligatory Act' of 1856, which compelled the establishment of police forces in all counties in England and Wales and was extended in 1857 to include Scotland.

Chadwick's contacts with Palmerston in 1855 were largely in the form of interviews, and only two documents survive which throw light on them.[1] One dated 16th January 1855 is a letter to Palmerston from Chadwick in which he regrets the former's intention to reconstitute the Royal Commission of 1836-39 by appointing new colleagues for him. He begs to be allowed to complete the Report by himself or, alternatively, to be given as colleagues either or both of the two philanthropists, Lord Shaftesbury and Lord Ebrington. The other document is of outstanding importance to police history. It is a long letter, unsigned and undated, unfortunately, but obviously written on Palmerston's instructions by a secretary at some time in 1855-56. Of particular interest are Palmerston's orders to Chadwick on the subject of Prevention, and the thoroughness of the investigation which he was called upon to undertake.

Sir,

With respect to the County Police Force, Viscount Palmerston has had before him the First Report, made under a Commission of the 7th Year of His late Majesty, by Charles Shaw Lefevre Esq., the present Speaker, by the late Sir Charles Rowan, K.C.B., and by yourself—which Report

[1] Chadwick Manuscripts.

relates mainly to the principles of the organization of a Police Force, and has served as the foundation of the existing County Police Act.

His Lordship on referring to the terms of the Commission observes that you were directed to inquire—'Especially with a view to the prevention of offences', and also 'with regard to any proceedings before trial by which the detection and apprehension of criminals may be rendered more certain'.

His Lordship is informed that on these topics and especially on the preventive action of a Police when organized . . . you have not only collected much information, but with your late colleague, Sir Charles Rowan had also matured practical conclusions for the guidance of Parliament in legislation, and the executive in the administration of the Law upon these subjects.

His Lordship is aware that the nature of your own labours and the illness and retirement of that valuable public servant, Sir Charles Rowan, and the new and arduous duties of Mr Charles Shaw Lefevre as Speaker, prevented the completion of your Second Report on these questions, but he hopes that your release from the duties imposed upon you under the Public Health Act and the restoration of your health will now enable you to resume and complete the work of the Constabulary Force Commission.

I am therefore to request that you will bring up to the present time the evidence and information previously collected, and set it forth with the conclusions founded thereon in a Second Report.

Viscount Palmerston is especially desirous that you should investigate and distinguish in your Report as closely as the evidence will permit—

1. What offences admit of prevention by the action of a Police alone.
2. What by a Police in concert with the public.
3. What offences must be prevented, if at all, by the care taken by the public themselves.

Viscount Palmerston requests that you will visit Essex, Hants, Lancashire and Durham, and any other of the Counties where Police Forces under the Police Act are established, and that you will there inquire of the Lords Lieutenant, the Chairmen of Quarter Sessions and other Magistrates, and from them and from others who may take an interest in penal administration as to how far the action of the existing Forces is satisfactory or the reverse, or how far it may be obstructed by the want of co-operation with the Forces of the Borough Towns, or from the absence of any trained Forces in contiguous districts, and as to any and what means may appear to be needful for increasing the efficiency of the existing Forces.

You are requested also to inquire and report upon the state of the existing Borough Forces, and as to any means by which their concurrent action with the County Forces may be promoted. . . .

His Lordship will give directions to the Inspectors of Prisons and others to render you any assistance you may require, and will be ready to consider favourably any further application you may have occasion to make for aid in the completion of your task.

No records are available which explain what may have been official cancellation of these instructions to Chadwick. He makes no mention of them in any of his later writings which have been preserved. He seems to have consoled himself by publishing as a pamphlet a paper which he read to an unnamed Congress, apparently in the later eighteen-fifties. The title is *Preventive Police Organization.*[1] A few brief quotations illustrate clearly the strangely mingled wisdom and folly of Chadwick's conception of police:

A Police Force depends for its action on public Co-operation.

Extreme politicians in the Metropolis have very much complained if they were not given that which they considered themselves entitled to—the attendance of a sufficient police force to protect them against hostile demonstrations, to keep their lines of processions, and maintain order whilst they denounced the Parliament and the Government of the country.

A well-constituted police is necessary for the maintenance of political liberty against physical violence.

The organization of the Metropolitan Police Force was accomplished chiefly by my colleague, Colonel Rowan.

The chief objective points of a Police are to render it difficult and laborious to get at property; to render it difficult and laborious to convert it; to reduce the profits of its conversion; and to render escape difficult, and narrow the chances of the escape of the depredator; and to augment the labour, and reduce the profits of his career below regular honest industry.

I am favourable to the civil individual action of the police on all ordinary occasions with the baton, in place of any military collective action of a police with sword, or gun, or revolver; nevertheless, with the training necessary for collective action, and with the gradations of commands for its direction, it may and ought to be applied as a superior military force, of which it may be made the means of a very large independent economy of regular barrack, or military, force.

The penultimate quotation indicates the waning of Rowan's influence on Chadwick. The last shows the beginnings of the influence on him of the dangerous police firebrand, Rear-Admiral McHardy, Chief Constable of Essex, who was propounding, with some support, a plan for making the police of the country the basis of its military defensive organization. He wanted them to become 'a defensive force as an artillery and rifle corps', with field guns installed at each police station and with colonels from the regular Army in command, in place of Chief Constables. The plan envisaged policemen as being also

[1] Chadwick Manuscripts.

regular soldiers, and instructors of a force of local volunteers in the neighbourhood of each police station. McHardy's plan and similar plans from other sources aroused public interest and support to a dangerous extent when proposals for establishing volunteer forces came under discussion. Chadwick supported McHardy's views in letters to the Press. In the last of these letters, written on 2nd July 1890, four days before his death, he bestowed very high praise on the police but recommended 'massing the police together in buildings under good sanitary conditions'. He demanded an increase of pay for the police and quoted 'a late military Commissioner' as having said that 'for efficient action, one regiment of police is equal to two of the Guards'. Mention of these matters may seem unnecessary at the present day. It is made in these pages on account of the fact that what may be called the 'Essex Spirit', tempered, disguised and seemingly innocuous, is unquestionably alive today.

The 'Obligatory' Rural Police Act of 1856, besides compelling the establishment of police forces in all counties, required magistrates to submit to the Home Office an annual statement on crime in their areas. No attempt was made in the Act to interfere seriously with local control of police in boroughs and counties. The suggestion made in the 6th Resolution in the Report of the Select Committee of 1853 to the effect that the police of the larger boroughs should be placed under the same superintendence as those of the counties was ignored. The recommendation in the 7th Resolution that the central Government should assist the financing of local police forces 'without essentially interfering with local management' was accepted. By the Act the central Government undertook to pay to each local authority, county or borough, a sum not exceeding one-fourth of the total expenditure on police pay and clothing, but boroughs of less than 5000 inhabitants were given the choice of amalgamating their police forces with those of adjoining counties, or, alternatively, receiving no Government grants against expenses. In making provision for this in the Act, its compilers realized that the expenditure of tax-payers' money should be made subject to some kind of supervision. The Home Secretary was empowered to appoint Inspectors with duties to visit provincial forces, county and borough, whose authorities

were in receipt of the grant, and to report to him regarding numbers, efficiency and discipline. The grant was liable to be withheld if the state of these was regarded as unsatisfactory.

For the first time in history a necessary, but weakly planned, beginning was made to divide police administration between local and central control, but its usefulness was frustrated by a hesitation to face the difficulties seriously. The appointment of Inspectors in 1856, and of one in Scotland in 1857, was a very significant event in police history.

CHAPTER XVI

THE FAILURE OF POLICE ADMINISTRATION

IN THE history of institutions it is usual to find at the highest administrative levels some retention and theoretic recognition of the founders' ideas and principles, together with complete neglect and forgetfulness of these at the lower levels of practical daily functioning. In this respect the British police institution is exceptional, because it is only at the lowest levels of daily functioning that its foundation principles remain recognizably intact. At the highest administrative levels they are obviously neither remembered nor understood. This is not merely an unfortunate fact. It represents a dangerous menace to the nation which it is hoped that the concluding pages of this study will clarify and possibly help to avert.

In all communities, all systems of rule by authority of any kind—all laws, all institutions for making laws, all systems of legal and judicial administration—are impotent and valueless unless there is in existence also a reliable means of law-enforcement, by which sustained observance of laws can be effectively secured. To the degree of effectiveness of the law-enforcement machinery of a community that of all its ruling, legal and law-making machinery is proportionate.

In modern times all communities with a claim to material civilization have unanimously adopted as the essential basis of their internal law-enforcement machinery, not military force, but police of one kind or another. In most modern communities police are legally provided with means of despotic functioning, and have co-ordinated military action behind them which enables them to base their power firmly and effectively on the ability to make themselves feared. Police power of this kind is capable of maintaining an effective measure of law-observance, but it is an obvious obstacle to the success of democratic organization. A community which claims to be a democracy but in which the police depend for their power

exclusively on their ability to inspire fear is a house divided against itself.

Charles Rowan laid the foundation for us of a police institution which is unique in the world and in history because the power of our police is almost entirely derived from the co-operation given to them by the public. If this for one reason or another is withdrawn, our police are helpless, and must cease to function. Our police are trained to understand that the source of their power is the co-operation of the public and they are trained to secure and maintain it by always behaving towards the public in a manner calculated to gain their good-will and respect. It cannot be too strongly emphasized that the loss of this essential co-operative relationship between the public and the police is far from being impossible or unimaginable. What threatens it more menacingly than lack of understanding of it by the police is lack of understanding of them by the public, and the still greater danger of the amorphous confusion of police administration into which it has been allowed to fall by the officials of central and local authority who are responsible for it. There is certainly need to fear the gradual degeneration of our police into police of another kind. If for one reason or another at any time our police lose their power by losing the approval and respect of the public, governing authority must very quickly, for its own preservation, establish police with power of the only other kind that is so far known to exist. This may easily happen if authority persists in its refusal to find the money necessary for police pay which will attract recruits of the kind required. Insufficient pay leads to insufficient man-power; to enforced reliance on mechanization; to concentration on detection and neglect of prevention; to loss of contact with the public; to loss of police power.[1]

[1] 'Constable R. McKinstray attempted to stop a fight between three brothers on a canal bank. When two other constables arrived on the scene the crowd of five hundred that had gathered did their best to prevent the arrest of the three fighters. Stones were thrown, and one constable was hit on the head with a brick and another with an empty petrol can. The crowd took up the chant "Give us their blood", and one Constable, still holding his prisoner, was pushed over a ten-foot embankment into a back court. Another Constable's baton was wrested from him and broken. Police reinforcements then arrived on the scene. . . . A bystander described the incident as one of the bloodiest battles he had ever seen. "Some of the men had blood streaming down their faces," he said. "The extra police arrived just in time." '

This is an extract from the *Police Review* of 24th June 1955, and not, as it may appear to be, from a London newspaper of the early eighteen-thirties. It is

The complaints and criticisms of the police customarily voiced in this country reveal almost without exception a confusion of mind caused by an inability to distinguish between police and police administration. This is due to the simple fact that the police are a living body without a head, and are consequently without a voice that can explain them or speak for them as a whole. We congratulate ourselves that we have in Britain no Minister of Police or Chief of Police, and no one who is authoritatively in control of the police. We assume that any form of central control of police organization must inevitably bring with it the danger of our having thrust upon us a centrally controlled national police force of a kind well known in other countries. A centrally controlled Police Force in Britain is regarded by many thoughtful policemen of high rank as being both desirable and necessary. They point to the increasing difficulties of their effective fulfilment of their duties caused by what often amounts to a visible strangle-hold on police efficiency caused by the confusing and conflicting voices of authorities, local and national; confusion which can be aptly summarized by Mayne's phrase of earlier days, 'the jarring of undefined co-ordinate authority', now disseminated throughout the country. They point also to the new police groupings by counties becoming already, in many ways, not less anachronistic than were the small forces which they superseded; and also to the nation-wide, wasteful blocking and denial of promotion rewards for merit for young policemen who show outstanding efficiency in local forces, especially those who show outstanding talent in special branches. Centralization could not possibly become a danger of the kind imagined, because under any national form of organization our police would still be dependent for their power on the approval, good-will and co-operation of the public. In order to make the police independent of this, even if they were nationalized, it would be necessary to recreate them entirely, in a form that would enable them to secure their power of successful functioning by other means.

The truth is that in our desire and efforts to avoid having a national police force under central administrative, and possibly individual ministerial, control, we have allowed police organiza-

doubtful if a similar report of crowd hostility towards policemen has appeared in the Press at any time during the past hundred years.

tion and administration to degenerate into a confusion of muddled authority which is creating dangers for us no less menacing than any that in the course of a century we have been at pains to avoid.

It will be remembered that in 1829 in conjunction with the creation of the first, organized establishment of paid and full-time functioning police in London, the centuries-old system of local control by parishes was ruthlessly ended with the transference of complete control of police to central authority in the form of the Home Secretary. In 1835 complete local control of the new borough police forces was given to local authority in the form of Watch Committees of the municipal corporations. In 1839 complete local control was again allowed to magistrates of counties who wished to establish police forces. In 1856, for the first time, in the provinces, the 'Obligatory Act' inaugurated some slight division of control of police between magistrates in the counties, Watch Committees in the boroughs, and the central authority of the Home Secretary. He, being empowered to pay from central funds one quarter of the costs of the pay and clothing of provincial police, was empowered also to employ Inspectors of Constabulary to ensure the effective expenditure of this money. Almost the only power, however, that was given to him at first in order to insist on the efficiency of local forces, was the power to withhold all or part of the financial grant, in the event of his not being satisfied that they were as efficient as they ought to be. This extremely weak but permanent foundation of police administration was laid hurriedly, after the rejection of Palmerston's plan to make, by means of Chadwick, an investigation into the state of the police throughout the country and the working of the Preventive Principle, before proceeding with the drafting of a Bill for thorough reorganization.

The provision made in 1856 for employing Inspectors of Constabulary was obviously an afterthought. Some time passed before the full possibilities of the uses to which they could be put and the immense power for the Home Secretary which could be secured from their activities were realized by his officials. After the passing of the 'Obligatory Act' in 1856 he had almost no statutory powers of control over the borough and county forces, the police authorities for which were, respectively, the Watch Committees and the magistrates in session, but he had,

paradoxically, full statutory power of control over the Metropolitan Police. Later, as its power and influence increased, Scotland Yard became less subservient to Home Office dictation and more independent of it. To this day, no Inspector of Constabulary inspects or reports on the Metropolitan Police. Home Office officials regret this fact. Their efforts to assert their authority and those of Scotland Yard to resist it reveal a relationship suggestive of a permanent cold war between them.

In the provinces, on the other hand, the feeble and almost non-statutory authority of the Home Secretary has been developed by his officials, by various subtle means, into power which, subject to its severe limitations by Treasury dictation, is almost as strong as any that could have been statutorily provided for him. To understand his power, the history of the work of the Inspectors must be considered briefly. It began in 1856 with the sole duty of reporting on the efficiency of individual provincial forces, county and borough. This at once led to their being obliged to define some standard of efficiency which could be mutually understood and envisaged by local police authorities. The most efficient of the borough forces which had been formed and organized by Rowan-trained men from Scotland Yard provided a model. At the same time, when pointing to it, the Inspectors found themselves asked for advice, the giving of which greatly extended the sphere of their duties and their influence. In building up some degree of national conformity in police organization, and in securing the elimination of forms which had come into being in the eccentrically evolved forces such as those of Essex and Hampshire, and in some others based on an Irish Constabulary model, the early H.M. Inspectors have to their credit a great and very valuable achievement. Later, by their enforced subservience to the Home Office, and by their fear, natural in the circumstances of their employment, of involving their Home Office masters in public criticism, they allowed their work to degenerate into the paste-and-patchwork, crack-concealing methods which their reports now consistently reveal. By their concealment in their reports of truth which should have been told to the public and not hidden from them, Her Majesty's Inspectors of Constabulary have caused the perpetuation of some of the worst and most dangerous defects of

police administration, and seriously increased the difficulties of their removal.

In 1856 and the following years some local authorities welcomed the activities of the Inspectors and willingly co-operated with them. Other authorities resented their visits and advice, and both they and their London masters were regarded with suspicion and distrust. In the absence of any practical power of securing compliance with their wishes and genuinely good intentions, other than the power of withholding the central Government grant, Home Office officials soon evolved an effective, velvet-glove method of procedure which enabled them to enforce their will and secure their ends. It became their custom, on occasions when a local police authority resisted their advice and that of an Inspector, to send its chairman a formal, mildly phrased letter announcing that 'the Home Secretary thinks it would be advisable' for some specified action to be taken. If no response was forthcoming, a second letter was sent, containing no reference to the first but announcing briefly that the Home Secretary was not altogether satisfied with the efficiency of the force concerned and that he intended to make a specified reduction in the financial grant on the next occasion when payment was due. This second letter had the calculated effect of obliging the local police authority to face the prospect of having to find, directly or indirectly, a certain sum of money, which would probably mean an increase in rates. It is not surprising that the second letter from the Home Office usually brought compliance with the suggestions made in the first. By the nineteen-thirties the number of these first 'suggestion' letters averaged approximately 300 annually, and the need for the second letter had become infrequent. The harmful effect of this procedure, in creating dangerous and unnecessary disharmony in police administration, requires no emphasis. In Scotland, to which the 'Obligatory Act' was made applicable in 1857, central authority which is now the Scottish Home Department adopted the policy of interfering as little as possible with the control of police forces by local authorities and of not using threats. Superficially there may seem to be more harmony in the relationship between local police authorities and the Home Department and its Inspector of Constabulary in Scotland that is secured by the equivalent machinery in England, but there are clear signs

that, in Scotland, confusion in police administration is even greater than it is in England.

In the present century, and especially since 1919, the Home Secretary and the Secretary of State for Scotland have been given increased powers of making authoritative regulations in the sphere of police administration, and these in England have greatly increased Home Office power over local police authorities. In 1948 and 1949 the additional powers were largely consolidated and given statutory form to an extent which has greatly lessened for Home Office officials the need for issuing 'suggestion' letters. The Home Secretary can now dictate regulations regarding the uniforms and clothing of the police, their pay allowances, expenses, pensions, annual leave, hours of duty, conditions of service, rules for promotion, disciplinary procedure, and the organization of mutual aid between forces. His approval is necessary for alterations in the strength of forces, for appointments to the rank of Chief Constable, and for matters of rent and other allowances. His strengthened authority in these respects covers all provincial police forces in England and Wales, with some modifications with regard to the Metropolitan and City of London forces. The Secretary of State for Scotland has equivalent strengthened authority for his area. It is advisable that some of these powers should be given, but it should be remembered that the Home Secretary in England is the police authority for the Metropolitan Police only. The statutory police authority for each borough force is its local Watch Committee, and for each county force it is, since the formation of county councils, the local Standing Joint Committee composed of magistrates and county councillors in equal numbers. Where the forces of several areas have been amalgamated, it is a Police Committee consisting of representatives of the former police authorities which controlled them. The consequence is a tangle of anomalies.

In one respect the increase of the regulating and approving powers of the Home Secretary and their consolidation in 1948 have been a disadvantage for Home Office officials. For decades Home Office spokesmen in Parliament have been able to evade criticism and investigation of Home Office police activities by means of the often repeated and specious plea, in reply to questions, that the Home Secretary had no control of and was not

responsible for local police authorities. As these were not represented in Parliament, Opposition members who were critical of police authority in the provinces found themselves puzzled and frustrated to an extent which on one occasion in 1936 required the intervention of a Deputy Chairman during a debate. He gave the following unhelpful explanation:

> The Metropolitan Police are under the direct responsibility of the Home Secretary, and he can give them orders. In the case of the provincial police, he cannot give orders to them. Orders to the provincial police are given by statutory authority, which is, in the case of a county, generally a Standing Joint Committee and, in the case of a Borough which has an independent police force, the Watch Committee. They have absolute control over their police, and the Home Secretary cannot give orders to them. The most he can do is to circularize the authorities and give them advice.

Since 1948 Home Office officials have felt it advisable to abandon this particular façade for the concealment of their methods and activities, but they have found other and more ingenious means of evading the criticism which they deserve for their share in causing the dislike and distrust with which they are regarded alike by the police and by local police authorities throughout the country. Members of these are often justly accused of showing mischievous ignorance of the true needs of policing, but they are far from being solely to blame for the chaos with which police administration is menaced today.

In Scotland, certain legal factors which are fortunately absent in England make the existing confusion in police administration worse confounded. In England, with rare exceptions, and with or without legal assistance, the police prosecute in the courts. In Scotland, all cases are conducted by Public Prosecutors: by Crown Counsel in the higher courts, by the Procurator-Fiscal in the Sheriff Courts, and by the Burgh Prosecutor in those of the Justices of the Peace. In this connection it is important to note that the Lord Advocate's Department through the medium of the Crown Office controls all Procurators-Fiscal, but has no control of Burgh Prosecutors. In all courts, high and low, almost the sole duty of the police is to present evidence to the Public Prosecutor, and having done so, they have no responsibility whether a case is instituted or not, or for the manner of its conduct, although they are frequently and often unjustly blamed

by the public when what appears to be an obvious miscarriage of justice follows.

From repeated evidence in recent years, it is difficult to avoid the conclusion that prosecutions have been instituted in Scotland, and have failed, on account of their having been based on evidence which in England would have been considered by the police there to have been insufficient to have justified the risk of prosecution. There have been instances also of the failure of prosecutions in Scotland which has been clearly due to faulty preparation of evidence by the police. It must be remembered, particularly by their legal critics in this connection, that the police are severely handicapped in Scotland by the fact that legal authority there has persistently refused to adopt in any form the means of smoothly adjusting the co-operation of the judical and executive branches of the law which are known as the 'Judges' Rules'. In England these enable the police to know, to a very large and very helpful extent, what evidence based on their own activities will be permitted and accepted in any court. In Scotland, in the absence of 'Judges' Rules', both the police and Public Prosecutors have the experience of finding, especially in the higher courts, bench views of evidence based on police activities extremely individualistic and unpredictable. Exactly similar evidence of the taking of a confession by the police, for example, which is permitted by one judge in Scotland is liable to be arbitrarily refused by another. Study of the subject can tend to throw much doubt on the boasted claim in legal circles in Scotland that the ancient system of Public Prosecutors in vogue there is superior to that of prosecution by the police in England. Consciousness of responsibility in their prosecuting task which is demanded from and shown by the police in England is outstandingly beneficial there in the interests of the public visibility of justice. The excuse sometimes proffered to the effect that Scottish Law cannot be altered to harmonize with English 'Judges' Rules' does not seem to meet the argument that Scottish 'Judges' Rules' could be made to harmonize with Scottish Law. A bench view of the part played by the police and their limited responsibility in prosecuting procedure in Scotland has been aptly summarized in a recent judgment[1]:

[1] *Session Cases*, 1952. Smith v. H.M. Advocate, Lord Justice-Clerk (Thomson).

When a crime is committed it is the responsibility of the Procurator-Fiscal to investigate it. In actual practice much of the preliminary investigation is nowadays, especially in the large centres of population with highly organized police forces, increasingly conducted by the police under the general supervision of the Fiscal. . . . However, the duty of the police is simply one of investigation under the supervision of the Procurator-Fiscal, and the results of the investigation are communicated to the Procurator-Fiscal as the enquiries progress. It is for the Crown Office and not for the police to decide whether the results of the investigation justify prosecution. The two functions are quite distinct. In carrying out their initial investigation the police perform a public duty. Their investigation is entirely private and no one is entitled to take part in it. . . . It is not for the police to decide what is relevent and material but to give all the information which may be relevant and material.

The existence of exceedingly dangerous confusion in police administration in Scotland which has for many years remained concealed from the public has recently been brought startlingly to its notice by the chain of events in the procedure of election of a new Chief Constable by the City of Edinburgh Corporation, when the full Council and two separate Committees of this body were seen to have blamelessly confused each other's voting decisions, for reasons on which it is inappropriate to comment.[1] An interesting aspect of this affair is the contrast it reveals between the methods of the staff of the Scottish Home Department and that of the Home Office in England, in their use of the powers of approving the appointment of Chief Constables by the Secretary of State and the Home Secretary respectively. It is customary for local authorities in England to submit short leets of names to the Home Office for approval, and the return of these to the authority with all names disapproved is not unknown. It is certain that what happened in connection with the appointment of a new Chief Constable in Edinburgh could not have happened in England, but this only emphasizes the contrast between the respective policies of almost total neglect of power of approval in Scotland, and of the excessively interfering use of it which is often visible in England; and justifies neither.

The second, recent exposure of confusion in police administration in Scotland is an amazing and, fortunately, loudly-resisted clause which was found to have been inserted in the draft of the Police (Scotland) Bill in October 1953, and submitted to local authorities for consideration. When the Bill was presented to

[1] 1955.

Parliament in April 1955, the offending clause was found to have been dropped, to the immense relief of all who have knowledge of the basis on which the whole structure of the British Police Institution functions and is founded. An answer to the question whether the insertion of the clause was the consequence of ignorance or design seems to be unprocurable.

The equivalent, original clause in the Police Act (Obligatory) of 1857 as applied to Scotland is as follows:

20 & 21 *Vict. c.*72
XXVI. Every Chief Constable shall, when so required, make Reports to the Police Committee, Sheriff, and Justices of the Peace, and Magistrates of Burghs forming part of any County for the Purposes of this Act, or consolidated therewith under this Act, of all Matters which they shall respectively require of him concerning the Police of the County or Burgh respectively, and shall obey all lawful Orders and Warrants of the Sheriff and Justices in the Execution of his duty.

In the draft of the Police (Scotland) Bill issued in 1953 there was this alteration:

(2) In directing the constables of a police force in the performance of their duty (whether under this section or otherwise) the appropriate Chief Constable shall comply with such lawful instructions (whether general or as respects any particular case) as he may receive from the Secretary of State or the Lord Advocate, and, subject to any such instructions, with such lawful instructions as he may receive:

(*a*) as respects a burgh from the magistrates of the burgh,

(*b*) as respects any place not in a burgh, from the sheriff having jurisdiction in the place, and

(*c*) as respects the investigation of offences, from the appropriate prosecutor.

Allowing for some minor complications of police procedure under Scottish Law, this new clause as it was drafted was undeniably a proposal to put the police in Scotland under central, and thereby, political Government control, by empowering the Secretary of State to give them wholly unspecified and unlimited orders. The effect in England of a proposal by any Government to give similar powers to the Home Secretary can be imagined.

The early co-ordinating successes of the Inspectors of Constabulary after their appointment in 1856 had an unexpected and alarming consequence for Home Office officials. Policemen throughout the country began to see themselves as a body of

men with mutually-shared duties and conditions of service, and mutually-shared grievances with regard to these. Trades Unions were becoming popular and increasingly powerful, and it soon seemed obvious to policemen that the formation of a Union was desirable. The reaction shown to this idea by Scotland Yard and the Home Office in London and by police authorities in the provinces, together with the severe disciplinary measures taken to impede its development, led many policemen to believe that the formation of a Police Union was not only desirable but also extremely necessary, and the only means by which redress of their genuine grievances could be obtained. Open efforts to form a Union were initiated in the Metropolitan Police. The Home Office strongly resisted them, as its officials foresaw the dangers of the police becoming involved in close relationship with the political Trades Unions. With traditional blindness and narrow-mindedness, these officials saw nothing else, and for many decades they rejected all applications for redress of grievances and for permission to establish machinery by means of which these could be voiced and submitted to authority. Policemen who were known to have taken part in advocating the formation of a Police Union were black-listed and disciplined, and sometimes summarily dismissed.

In 1872 the first police strike was staged in London, but it was easily crushed by punishments which were made exemplary. Another strike in 1890 had similarly ineffective results, but harsh repression, as so often happens, stimulated resistance. Policemen throughout the country became united in a demand for what they claimed to be their 'right to confer', and after the turn of the century a National Union of Police and Prison Officers was formed in London. This was met by the pronouncement from the Home Office that all members would be liable to be dismissed from the police. The Home Office felt certain that the police would never have the power to strike effectively, and assumed that police grievances could be safely ignored.

Towards the close of the First World War the chief and most demonstrable grievance of policemen was the fact that they were unable to live on their pay. On 29th August 1918 almost all the police in London failed to report for duty. Most of the members of the Cabinet were out of town. Not the least deplorable aspect of the incident is that when the Prime Minister

and others received the news of the strike they refused to believe it, because they had been assured by the Home Office that such a thing was impossible. Two days later the strike was settled by the promise that an authorized representative body would be established for the police.

The Government quickly appointed a Committee under the Chairmanship of Lord Desborough to enquire into service conditions, rates of pay and pensions, and other matters. Their first Report carried strong recommendations for substantial improvements. A Police Bill of 1918 made provision for these, but it carried a clause which made membership of any Union other than a Police Federation, which was outlined in the Bill, wholly illegal. The consequence was another police strike, which gained less support in London than the earlier one, but was accompanied by strikes in the provinces. The demand that policemen should be allowed to join political Trades Unions was certainly one that could not be met. The majority of policemen recognized its undesirability and refused to participate in the second strike, which was a failure, but very serious looting and disorder occurred in Liverpool and elsewhere in the provinces, in the absence of policemen from duty. The full disturbing story of these disorders has never been made available to the public.

The Desborough Committee recommendation and the Police Act which followed it removed most of the worst grievances from which the police were suffering in 1919. The Act also established the Police Federation, a body representing the ranks of Inspector, Sergeant and Constable, with Branch Boards in all districts. It provided the police with means of bringing to the notice of the Home Secretary and police authorities 'all the matters affecting their welfare and efficiency, other than questions of discipline and promotion affecting individuals'. This concession was reluctantly yielded by the Home Office, but what was granted was only the setting up of a court in which the officials against whom the police complained were the judges, and these had untrammelled power to withhold justice if they wished.

In addition to the Police Federation, the Act of 1919 created the Police Council, which consists of representatives of police authorities and of all ranks of the police. It is under the chair-

manship of the Home Secretary and has Home Office officials and Inspectors of Constabulary attached to it.[1] Its functions are wholly advisory and consultative. The Home Secretary is obliged to consult this body regarding his intentions concerning the police, but he is under no obligation to pay any attention to the advice he receives from it. It is immensely to the credit of the serving policemen who have organized and led the Federation since the date of its inception that they have done so with patience and wisdom, but the methods of Home Office officials in dealing with them have established deep-rooted feelings of suspicion and distrust that cannot quickly be eliminated. Behind this relationship lies a long history of adamant refusals to consider grievances and just demands for increase of pay, and sudden and shameless yieldings, at first under pressure of fear of strike action and later as the consequence of dearth of police recruits. The police have now (1954) won for themselves a National Police Council, by means of which final rejection of claims for improved conditions become subject to arbitrators appointed by the Prime Minister. The Police Councils are concerned solely with service conditions. They have no power to discuss or consider police administration as a whole, or police functioning as a whole, or the maze of anomalies and defects which are stultifying both.

Our lack of any clearly authoritative centralized form of police administration may be considered by some to be a blessing, but no one seems to have called attention to the fact that this is not strictly true, because what we suffer and tolerate is really a form of national police authority which is concealed in the hands of a small number of Home Office officials who wield it incompetently and intolerably. They are unknown to the public, and they are dependent for their power largely on the maintenance of public ignorance of their possession of it, and of public ignorance of the police. There is no defect of police administration from which the public and the police suffer more seriously than its consequent voicelessness, in the absence of any established authority with full responsibility and obligation to speak for it, and for the police, to Parliament and to the public.

All units of police administration including all local police authorities in the counties and boroughs; the Inspectors of

[1] There is a similar Police Council for Scotland.

Constabulary who are the lip-sealed nominees and employees of the Home Office; and the Commissioners and staffs of the Metropolitan and the City of London Police are isolated and segregated in their functions and activities. The Police Federation, the Chief Constables' Associations, those of Chief Superintendents and Superintendents, the Police Councils of England and Wales and of Scotland, and the National Police Council, are concerned only with welfare and serving conditions, although there is a certain amount of consultation between them and authority on legislative and procedural details. None of these groups or bodies is concerned with the fundamental welfare of the police institution as a whole, or with the evil effect on it of the existing amorphous structure of police administration. All that is in existence in the sphere of concern and responsibility for both at national level is a small number of officials at the Home Office in London and at St. Andrew's House in Edinburgh. The latter enjoy a peace and freedom from criticism which is due to the public's almost total ignorance of their existence. The former hide themselves behind the nominal responsibility of the Home Secretary, and others who speak for him in Parliament, by supplying them with ingenious, smoke-screen answers to questions concerning the police. The long-employed tactic of accepting no responsibility for provincial police forces which was obviously weakened by the consolidation in 1948 of the Home Secretary's powers of making regulations has now been customarily replaced by one of skilfully-worded evasion of criticism by means of vague references to 'difficulties', which are invariably left unspecified. The reiterated use of the word implies, flatteringly, that listeners are in sympathy with the speaker's obligation to be uncommunicative in face of the intransigence of local police authorities. It is an excellent means of concealing from Parliament and the public the truth about the tangled web of police administration. The subject is one that requires many years of study for its understanding, and the ephemeral nature of the appointments of Home Secretaries and their parliamentary assistants makes them, very frequently, in their rôle as spokesmen, the innocent tools of the permanent officials who prepare their answers for them.

Study of the views and outlook of the permanent officials of

the Police Department of the Home Office reveals them as being not wholly undeserving of sympathy. They live and work in an atmosphere of fear of the potential power of the police which since 1830 has become, unfortunately but understandably, traditional in the Home Office. It is a fear which is to some extent justified. The growth of Scotland Yard's independence of the Home Office has been since the eighteen-thirties largely commensurate with the growth of the popularity of the police in London. Fear of the growing powers of Rowan and Mayne was registered early by Melbourne and Duncannon, and expressed openly by Russell and his permanent Under-Secretary. Samuel Phillipps was regarded as an enemy by Mayne, and probably by Rowan also. As a result of the long history of demand for a Union and negotiating machinery, and of strikes and their dreaded consequences, the police have become, in Home Office eyes, a permanent potential source of trouble. It may seem strange, but it is a factual consequence of this view that it has become extended to include not only fear of the power of the police to give trouble through Federation channels and otherwise, but also fear of an increase in public understanding of the police, and in their popularity.

Sudden and emphatic but short-lived manifestations of what can be the power of public support for the police occur periodically, as the consequence of events such as the brutal murder of a policeman or some particular instance of the suffering of injustice by one or more of them, when a wave of letters floods correspondence columns in the Press, and questions demanding redress are asked in Parliament. If public sympathy with the police were more lasting and took permanent form, which would certainly be a consequence of better public understanding of them, and if they enjoyed popularity to an extent which secured for them public support on all occasions when they make representations of grievances, such as the scandalous treatment they received for many years in the matter of widows' pensions, the effect on the ability of Home Office officials to keep police demands in check would be formidable. These officials are manifestly aware of this possibility, and it is understandable that they see danger in any influences which tend to increase public understanding of the police institution and public appreciation of the police. What is urgently necessary is to take

from them the task of controlling the police, which has been allowed, haphazardly and absurdly, to accrue to them.

The more closely we examine the defects of police administration the more surprising becomes the complacency with which we tolerate them. When the Metropolitan Police were established in 1829, the areas of the first Divisions, large and small, were calculated by Rowan and Mayne in accordance with the known or estimated prevalence of crime in London. The numbers of policemen and the extent of the beats in each Division were dictated by the belief that crime and disorder could be *prevented* by the presence and good behaviour of policemen; that the numbers of these which were necessary to reduce crime and disorder to comparatively small proportions would soon be discovered by experience and practice; and that, thereafter, a standard of police man-power requirements for any degree of incidence of crime and disorder in any area could be quickly calculated. The correctness of these assumptions was soon proved, but what has become of them today? Every policeman, and particularly every policeman of high rank, knows that increase of man-power in any area, large or small, where crime and disorder have been shown to have increased is followed automatically by their immediate reduction, but in all administrative calculations of what should be police man-power strength locally and nationally, this knowledge is wholly disregarded.

The maximum number of men which is presumed to be required for each police force in the country is known as its 'authorized strength'. This is agreed by arrangement between local police authorities and the Home Secretary on the advice of his Inspectors of Constabulary. It is based wholly on strength-precedents and on what the Treasury will sanction by way of increase, and, in the case of the provincial forces, on what local police authorities will allow within the margin of their determination not to increase rates, although the Government grant now amounts to one-half of all the costs of police. Between the 'authorized strength' of police and the incidence of crime and disorder in London and the provinces there is no connection whatsoever. Considerations of Treasury demands and a determination not to increase rates unite the Home Office and local police authorities in a disregard of police efficiency.

The nation is suffering at present an extent of crime, and

of traffic and other forms of disorder, which is causing immense material damage and incalculable moral harm. Many explanations of the high incidence of crime have been propounded, but the most significant, which is shortage of police, usually comes last on every list. Spokesmen for the Home Office in Parliament customarily offer this explanation, while refusing to accept any responsibility for it and emphasizing the fact that many police forces are unable to secure their 'authorized strength'. The simple truth is that police forces which possess full 'authorized strength' are suffering from inability to function effectively on account of man-power shortage just as seriously as any forces which, like the Metropolitan Police of London, have become, seemingly, permanently short of the numbers officially allowed to them. Even where these numbers are obtained, they are obviously and absurdly insufficient. Large increases in population, in built-up areas, in the numbers of new roads, and in traffic duties in streets and on roads new and old in the areas covered by police forces have generally been accompanied by farcically small increases in their strengths. If police numbers were based on scientific calculation of their proved power of reducing crime and disorder, many forces which are at full 'authorized strength' would be found to be more in need of men than some which are at present under strength. The phrase 'authorized strength' has become almost meaningless. Recruits for the police in the numbers that are rationally required can be found by the same means which are quickly used in all branches of the fighting Services when shortage is regarded as dangerous: by increasing pay and improving conditions of service. The cost of bringing the police throughout the country up to full efficiency would amount to only a small fraction of the financial loss from crime and other forms of disorder at present being suffered by the nation as the consequence of a shortage of policemen which is being deliberately maintained by the Home Office and police authorities on absurdly miscalculated grounds of finance.

It is doubtful if there is a single police force in Britain today which is not suffering severely, and with increasing danger to the public in its area, from shortage of man-power. The full effects and dangers of this are largely concealed from the public by the simple and necessary expedient, which is forced on Chief

Constables and on Scotland Yard, of maintaining the appearance of numbers of police by day at the cost of increasingly widespread policelessness at night. Even by day, beat areas are being amalgamated and enlarged to a degree which usually makes the finding of a policeman an impossibility. Where telephones are available, police cars can provide effective service, but they are rarely allowed in sufficient numbers to enable them even to begin to provide an effective alternative to policemen on beats. This is not surprising in view of the perpetual difficulties with which Chief Constables are faced in their efforts to secure from local authorities[1] sanction of the cost of cars or of anything else requisite for the maintenance of even normal efficiency. A Chief Constable is regarded with favour if he propounds plans of any kind which will provide a reduction in the cost of the police, but is faced with displeasure and opposition if he ventures to demand, in the interests of local order, any expenditure which will involve an increase in existing costs and consequently in rates. His work as Chief Constable often becomes a prolonged, patient exercise in diplomacy, in securing from his local

[1] What is known as the 'Team-Policing Idea' in Britain and is frequently and wrongly described as the 'Team-Policing System' has been experimentally adopted in a number of urban areas in recent years. No two team systems are, or can be, alike, as each area where the idea is adopted requires a carefully thought out individual system in accordance with its own particular requirements.

The idea constitutes a method of policing by which the policemen of a number of beats are formed into a team, under a team-leader, and supplied with one or more radio-fitted cars. The members of the team co-operate in studying the police requirements of their district, and their leader regulates and orders the duties of the men under him, whether on foot or in the cars, from day to day and from hour to hour. Foot patrolling is not eliminated, but the general aim of the team is to provide a police car at a scene of disorder or of threatened or committed crime, anywhere, within a minute or two of receipt of a telephone call relayed by loud-speaker to the cars from an Information Room at police headquarters. A necessity of team-policing efficiency is the provision of cars and radio equipment, the cost of which has been willingly faced by some local police authorities who have been tempted by the alluring prospect of saving a greater sum by reducing the numbers of policemen required for team-policed areas; the reduction is estimated to be approximately ten or twenty per cent.

Where a team-policing system has been inaugurated with intelligence and the enthusiastic co-operation of all ranks, as in Salford in Lancashire, striking success and efficiency has been achieved without reduction of the friendly contact between police and public. In some other areas the system adopted has been most notably a failure, and has been necessarily abandoned. Such results are inevitable in circumstances in which one team car and one policeman at a street-box are seen to be the total police provision by night for an urban area with a population of 40,000. Opinion generally among Chief Constables and H.M. Inspectors of Constabulary is that the team-policing idea has failed so far, in practice, to prove itself in any way superior to the beat system which it was expected to supersede, but it should not be assumed yet that thi will be a final verdict.

authority demands which he dare not make more than a fraction of what he requires. If in the exercise of his diplomacy he finds himself obliged to satisfy some members of his local council or police committee with regard to matters outside their powers, he does so, knowing often that he is paying the only price by which even a fraction of his requirements can be obtained. It does not follow that the police of some local forces have reason for their assertion that the possession of a friend who has a friend on the local council is a necessity for securing promotion. What is deplorable is that, whether justifiable or otherwise, in some forces this belief is widely held and openly expressed.

In London there are police stations at which one or two men now parade for night duty in place of the thirty or forty who used to do so a few years ago. Even in towns and cities where 'authorized strength' has been secured, a single policewoman can be seen, by day or by night, patrolling a number of amalgamated beats which cover an area of an extent which makes her presence in it almost valueless. In many towns festive and athletic gatherings frequently require the concentration of almost the entire police force in one small area and the temporary total abandonment of policing elsewhere. In most police stations pressure of work makes it impossible for all policemen to read and memorize the Crime Lists, as they are normally required to do. Policemen and members of the C.I.D. are frequently aware while asking questions and making notes at the scene of a burglary or other major crime that after they have left the premises they will have no time for any further consideration of it or for any further action. Prompt response by police stations to a telephone call becomes farcical when, through no fault of their own, response is the limit of the remedial action of which the police are capable. As innumerable sufferers know, a feature of many burglaries is their serial recurrence at individual premises. A feature of H.M. Inspectors' Reports is the frequent praise, bestowed on police forces which they have visited, for having increased in a particular area the percentage of solved crimes by some decimal points. It rarely exceeds for most crimes connnected with theft a figure of from thirty-five to forty per cent, which means that thieves and burglars enjoy more chance of freedom than of being caught. Throughout the whole country the police are living on their capital, which is the confidence in

which they are held by the public, and on this capital they cannot live indefinitely.

A Home Secretary recently diagnosed the cause of the current deplorable prevalence of crime and disorder as being the absence or religious teaching in our homes. This is unquestionably true, but a deeper cause is unconscious fear, and a widespread sense either of economic or spiritual insecurity, or of both, which make parents incapable of giving their children any positive kind of teaching and guidance. What Home Office and other speakers do not mention, designedly perhaps in some instances, is the simple and indisputable fact that a very large proportion of crimes, adult and juvenile, can be prevented by the presence among us of policemen in sufficient numbers.

Existing police weaknesses of every kind are almost solely the product of defective police administration. A thorough and serious enquiry, at the highest level, by a Royal Commission or otherwise, into the manner in which it is conducted is urgently needed. It is important that the individuals who undertake the enquiry should be selected independently of Home Office influence, and that they should be enabled to act and function freely, without its interference. A preliminary difficulty which they would have to overcome would be the reluctance of police officers of high rank to express their views freely and openly, from fear of possible consequences to themselves. This fear is justified by certain well-known facts connected with the Home Secretary's power of approving the appointments of Chief Constables, and the manner in which this power is exercised by his officials. It is significant that many police officers of high rank are labelled openly by their colleagues as being, or not being, 'Home Office' men.

The fields of enquiry given to a Royal Commission or other body appointed to report on police administration and organization should be as wide as possible. They could profitably include the three given by Palmerston to Edwin Chadwick in 1855, when ordering him to complete the unfinished work of the Royal Commission of 1836-39 on which he served with Charles Rowan.[1] Neither the work of this Commission nor that given by Palmerston to Chadwick has ever been completed, and the need for their completion has never been more urgent

[1] page 260 *supra*.

than it is today. Palmerston's orders included enquiry into: what offences admit of prevention by the action of a Police alone; what by Police in concert with the Public; what offences must be prevented, if at all, by care taken by the Public themselves.

Chadwick was ordered to report also on the existing state of all police forces, a task which a new Royal Commission could very usefully undertake. Candid evidence given by Chief Constables throughout the country regarding their difficulties and their helplessness in the hands of their local authorities would certainly be sensational and would throw clear and revealing light on the extent to which the defects and anomalies of the existing division of power between central and local control of police are the true cause of police inability to control crime and disorder. It is very probable that the Royal Commission would find itself moved to recommend relieving local rates of all costs of police, and making these wholly a charge on the national Exchequer. Were this recommendation accepted, reaction of municipal and county authorities can be prophesied as being a clamour for the increase of police in the provinces no less vociferous than any that is being raised at present in opposition to it.

Any serious enquiry into the defects of police administration by a Royal Commission or other body must inevitably pose the question of how central and local control of police can be organized and adjusted to provide smooth and harmonious functioning and to enable the police everywhere to act with full efficiency. Complete local control of police and, alternatively, complete central control of them are equally inadvisable, even in the circumstances of their total cost being provided by the national Exchequer. In view of past history and existing evidence of the failure of the amorphous system of control now being exercised jointly by the Home Office and local police authorities, the need for its total abandonment cannot be seriously questioned. Solution of the problem seems to lie in the possibility of providing, as the medium for police administration, some *ad hoc* body in the modern form of a Board, Commission, Authority or Corporation which might consist of full-time salaried members appointed by the Prime Minister and responsible to him, and chosen by him from, and in consultation with, or elected by, such bodies as those representing municipal corporations and county

councils including the London County Council, the Judiciary, senior police officer associations, and the Police Federation. The powers and functions of this *ad hoc* police body and its staff would have to be made wholly administrative and explanatory. It would have no executive powers in the shape of police duties, or authority to order police action or arrests, greater or more extensive than are at present held by the Home Secretary, the Secretary of State for Scotland and local police authorities. A basis for its establishment might be found in the new National Police Council, by expanding its functions beyond the narrow confines of concern with serving conditions in the police and giving it responsibility to Parliament, and the public, for the establishment and maintenance of police administrative efficiency throughout the country. It could become the voice of the police in all matters which concern them, and the means of ensuring clear public understanding of the principles, methods and values of the police, which are their peculiar heritage, and ours.

APPENDIX

The Nine Principles of Police

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.

2. To recognize always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions, and behaviour, and on their ability to secure and maintain public respect.

3. To recognize always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.

4. To recognize always that the extent to which the co-operation of the public can be secured diminishes, proportionately, the necessity of the use of physical force and compulsion for achieving police objectives.

5. To seek and to preserve public favour, not by pandering to public opinion, but by constantly demonstrating absolutely impartial service to Law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws; by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing; by ready exercise of courtesy and friendly good-humour; and by ready offering of individual sacrifice in protecting and preserving life.

6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order; and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen, in the interests of community welfare and existence.

8. To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.

9. To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

British Police Principles may be defined, briefly, as the process of transmuting crude physical force, which must necessarily be provided in all human communities for securing observance of laws, into the force of public insistence on law observance; and of activating this force by inducing, unobtrusively, public recognition and appreciation of the personal and communal benefits of the maintenance of public order.

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